

### REQUEST TO ESTABLISH DOCKET

(Please type or print. File original *plus* 1 copy with CLK.)

RECEIVED-FPSC  
 2016 MAY 11 - 14 AM 9:47  
 COMMISSION CLERK

Date:	5/4/2016	Docket No.:	
1. From Staff / Division:	Division Of Economics/Toni Earnhart <i>TE</i>		
2. OPR:	Toni Earnhart, ECO		
3. OCR:	GCO		
4. Suggested Docket Title:	Compliance investigation of local exchange Certificate No. 5315, issued to FLATEL, Inc., for apparent second-time violation of Rule 25-4.0161, FAC., Regulatory Assessment Fees; Telecommunications Companies.		
5. Program/Module/Submodule Assignment:	A18a, A10		
6. Suggested Docket Mail List.			
a. Provide NAMES/ACRONYMS, if registered company.		<input type="checkbox"/> Provided as an Attachment	
Company Code, if applicable:	Parties (include address, if different from MCD):	Representatives (name and address):	
TX164			
b. Provide COMPLETE NAME AND ADDRESS for all others. (match representatives to companies)			
Company Code, if applicable:	Interested persons, if any, (include address, if different from MCD):	Representatives (name and address):	
7. Check one:	<input checked="" type="checkbox"/> Supporting Documentation Attached		<input type="checkbox"/> To be provided with Recommendation
Comments:			

*8*

COMMISSIONERS:  
JULIE IMANUEL BROWN,  
CHAIRMAN  
LISA POLAK EDGAR  
ART GRAHAM  
RONALD A. BRISÉ  
JIMMY PATRONIS

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL  
MARY ANNE HELTON  
INTERIM GENERAL COUNSEL  
(850) 413-6199

## Public Service Commission

February 22, 2016

TX164-15-T-0-D  
FLATEL, Inc.  
P. O. Box 211192  
Royal Palm Beach, FL 33421-1192

Dear Certificate Holder:

The Division of Administrative Services has forwarded your account to our office to address the nonpayment of the Regulatory Assessment Fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code (F.A.C.), for the year 2015, which was due **February 1, 2016**. The RAF return form was mailed to you on **December 15, 2015**, and to date, Commission records reflect that payment has not been received.

**Utilities are charged with knowledge of our rules and statutes. According to Florida Law, you are required to add interest charges at 12% per annum, and a 5% penalty for each 30-day period or fraction thereof, beyond the due date, up to a maximum of 25% in addition to the delinquent amount due.** In addition, pursuant to Section 364.285, Florida Statutes, the Commission is authorized to impose upon any entity subject to its jurisdiction a penalty of not more than \$25,000 for each offense, if such entity is found to have refused to comply with or to have willfully violated any lawful rule or order of the Commission, or any provision of Chapter 364.

**If payment is not postmarked within 15 calendar days of receipt of this notice, as evidenced by the certified mail receipt, Rule 25-4.0161, F.A.C., automatically imposes a penalty of \$500, \$1,000, or \$2,000,** in addition to the interest and penalty listed in the preceding paragraph. The penalty is based on the number of prior dockets against a company for violation of the RAF rule. For one prior docket, it automatically will be assessed a \$1,000 penalty and for two, a \$2,000 penalty. For a third docket, staff will submit a recommendation to the Commission seeking cancellation of the company's certificate and removal from the register.

If you wish to request another form, please contact Toni Earnhart at the number below. The payment should be identified with the company code and the company's name. Failure to provide payment within **15 days of this notice** will result in the establishment of a docket to address your failure to return the RAFs form and pay RAFs in accordance with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. As specified above, pursuant to Section 364.285, Florida Statutes, the Commission may impose a fine for failure to comply. Therefore, it is important that you address this matter now. If you have paid your fees, please provide us with your check number and the date that it was paid.

Should you have any questions concerning this letter please contact **Toni Earnhart** at **(850) 413-6532** or via Internet e-mail at **tearnhar@psc.state.fl.us**.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Anne Helton".

Mary Anne Helton  
Interim General Counsel

cc: Fiscal Services Section

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; An Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

7011 3500 0001 5979 2031

Postage	\$ 4.48
Certified Fee	3.45
Return Receipt Fee (Endorsement Required)	2.80
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	6.73



TX164-15-T-0-D  
 FLATEL, Inc.  
 P. O. Box 211192  
 Royal Palm Beach, FL 33421-1192

**SENDER: COMPLETE THIS SECTION**

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
  
 TX164-15-T-0-D  
 FLATEL, Inc.  
 P. O. Box 211192  
 Royal Palm Beach, FL 33421-1192

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*[Signature]*  
 B. Received by (Printed Name)  Agent  Addressee  
 Robert Rodriguez  
 C. Date of Delivery  
 3/9/04  
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:  
 PO Box 722  
 W.P.B. FL 33402

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

7011 3500 0001 5979 2031

Utility Information

This account is Delinquent.

Utility Mailing Name: <input type="text" value="FLATEL, Inc."/>	Complete Name: <input type="text" value="FLATEL, Inc."/>	Utility Code: <input type="text" value="TX164"/> <input type="button" value="Docket"/> <input type="button" value="Consumer"/>
Street1: <input type="text" value="P. O. Box 211192"/>	Street2: <input type="text"/>	City: <input type="text" value="Royal Palm Beach"/>
State: <input type="text" value="FL"/>	Zip: <input type="text" value="33421-1192"/>	Phone: <input type="text" value="(561) 688-2525"/>
Federal Id: <input type="text" value="65-0788827"/> Certificate #: <input type="text" value="5315"/>	Bankruptcy Start Date: <input type="text"/>	Bankruptcy End Date: <input type="text"/> BType: <input type="text"/>
Utility Status Code: <input type="text" value="REGULATED"/>	Utility Status Date: <input type="text" value="2/5/1998"/>	WriteOff Type: <input type="text"/>

RAF Account Information

Raf Periods: <input type="text" value="1/1/2015 - 12/31/2015"/>	<input type="checkbox"/> Correspondence Suspended	<input checked="" type="checkbox"/> Show Cause
RAF Period Covered: <input type="text" value="1/1/2015 - 12/31/2015"/>	<input type="checkbox"/> Check Received	<input type="checkbox"/> On Payment Plan
Service: <input type="text" value="CLX"/>	<input type="checkbox"/> Confidential	<input type="checkbox"/> Utility Request Close
Current RAF Status: <input type="text" value="Interest &amp; Penalty updated by nightly job"/>	<input type="checkbox"/> Raf Form Withdrawn	<input type="checkbox"/> Audited
Raf Transactions: <input type="text"/>	<input type="checkbox"/> Send Collection	<input type="text" value="Collection Date: "/>
Operating Revenue: <input type="text" value="0.00"/>	<input type="checkbox"/> Collection Withdrawn	<input type="checkbox"/> Collection Withdrawn
Gross Interstate Revenue: <input type="text" value="0.00"/>	<input type="checkbox"/> RAF Form Received	<input checked="" type="radio"/> Actual <input type="radio"/> Estimated
RAF Rate: <input type="text" value="0.0016"/>	<input type="checkbox"/> Amended Return	<input type="checkbox"/> Don't calculate Penalty
	<input type="checkbox"/> Don't calculate Interest	<input type="checkbox"/> Don't calculate Interest
	<input type="checkbox"/> RAF Account Satisfied	
	RAF Due Date: <input type="text" value="2/1/2016"/>	

All Comments:

Interest and Penalty adjusted by nightly job---DBO---5/2/2016 12:01:06 AM ^

Interest and Penalty adjusted by nightly job---DBO---4/2/2016 12:01:04 AM ^

Interest and Penalty adjusted by nightly job---DBO---3/3/2016 12:01:04 AM ^

Interest and Penalty adjusted by nightly job---DBO---2/2/2016 12:01:05 AM ^

User Comments:

Estimated Assessments

	Due	Paid	WriteOff	Refund	Expred Refund	Owe
RAF	600.00	0.00				600.00
Penalty	120.00	0.00				120.00
Interest	24.00	0.00				24.00
Extension	0.00	0.00				0.00
Total	744.00	0.00				744.00

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**REGULATORY ASSESSMENT FEE**

Logout

RAF	MCD	This Is Production Version 1	
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Assignment List	Assigned List	File For Review	Review Complete	Denied/Closed	Search	RAF Forms	Delinquent Assignment List	Delinquent Assigned List	Delinquent
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**RELATED DOCKETS INFORMATION**

Back

**Tax ID:** 65-0788827 **Complete Name:** FLATEL Inc. **Address:** N/A **Contact:** CEO Abby Matari (561) 688-2525 ext 102 Fax#: (561) 688-7334 AMatari@Flatel.net; President & CFO Adriana Solar (561) 688-2 **CreatBy:** NGRANT **CreatDate:** 2/5/1998 **ModifyBy:** NGRANT **ModifyDate:** 10/14/2015 10:20:43 AM

Utility Code:  Utility Name:   
 Utility Code To:  Utility Code From:  Unregulated Operation Date:  Corptype Type:  Class Type:

**Total:** 29

#	DocketNum	Title
1	990254-TP	Petition by Sprint-Florida, Incorporated for approval of resale agreement with FLATEL, Inc. d/b/a Florida Telephone Company.
2	980720-TP	Petition of GTE Florida Incorporated for approval of resale agreement with FLATEL, Inc. d/b/a Florida Telephone Company.
3	971434-TX	Application for certificate to provide alternative local exchange telecommunications service by FLATEL, Inc. d/b/a Florida Telephone Company.
4	150165-TX	Request for relinquishment of eligible telecommunications carrier (ETC) designation in Florida, by FLATEL, Inc.
5	140055-TP	Complaint of FLATEL, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida.
6	110306-TP	Request for emergency relief and complaint of FLATEL, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida to resolve interconnection agreement displ. Amended Complaint of Qwest Communications Company, LLC against MCImetro Access Transmission Services (d/b/a Verizon Access Transmission Services); XO Co Inc.; tw telecom of florida, l.p.; Granite Telecommunications, LLC; Broadwing Communications, LLC; Access Point, Inc.; Birch Communications, Inc.; Budget Prepay, Inc DeltaCom, Inc.; Ernest Communications, Inc.; Flatel, Inc.; Navigator Telecommunications, LLC; PaeTec Communications, Inc.; STS Telecom, LLC; US LEC of Florida, l Inc.; and John Does 1 through 50, for unlawful discrimination.
8	090188-TX	Request for name change on CLEC Certificate No. 5315, effective April 13, 2009, from FLATEL, Inc. d/b/a Florida Telephone Company d/b/a Oscatel d/b/a Telephone L to FLATEL, Inc.
9	090028-TP	Request for approval of amendment to interconnection agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and FLATEL Telephone Company d/b/a Oscatel d/b/a Telephone USA d/b/a Global Telecom.
10	070683-TX	Petition for designation as eligible telecommunications carrier (ETC) by FLATEL, Inc.
11	060794-TX	Request for waiver of carrier selection requirements of Rule 25-4.118, F.A.C., due to migration of customers of Florida Phone Service Inc. d/b/a Global Telecom Group, Certificate No. 8630, to FLATEL, Inc. d/b/a Florida Telephone Company d/b/a Oscatel d/b/a Telephone USA, holder of CLEC Certificate No. 5315; and for name change to FLATEL, Inc. d/b/a Florida Telephone Company d/b/a Oscatel d/b/a Telephone USA d/b/a Global Telecom.
12	050736-TP	Request for approval of amendment to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and FLATEL, Inc. d Company d/b/a Oscatel d/b/a Telephone USA.
13	050585-TP	Request for approval of master resale agreement between Sprint-Florida, Incorporated and FLATEL, Inc. d/b/a Florida Telephone Company d/b/a Oscatel d/b/a Telephc
14	050492-TP	Request for approval of interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Flatel, Inc. d/b/a Florida Telep Oscatel d/b/a Telephone USA.
15	050356-TP	Request for approval of amendment to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and FLATEL, Inc. d Company d/b/a Oscatel d/b/a Telephone USA.
16	050076-TP	Request for approval of three amendments to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and FLATEL Telephone Company d/b/a Oscatel d/b/a Telephone USA.
17	040692-TP	Request for approval of amendment to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and FLATEL, Inc.
18	040669-TP	Request for approval of amendment to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and FLATEL, Inc. d Company d/b/a Oscatel d/b/a Telephone USA.
19	040569-TP	Request for approval of amendment to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and FLATEL, Inc. d Company d/b/a Oscatel d/b/a Telephone USA.
20	040397-TP	Request for approval of amendment to interconnection agreement between BellSouth Telecommunications, Inc. and FLATEL, Inc. d/b/a Florida Telephone Company d/ Telephone USA.
21	040129-TX	Compliance investigation of FLATEL, Inc. d/b/a Florida Telephone Company d/b/a Oscatel d/b/a Telephone USA for apparent violation of Rule 25-4.110(16), F.A.C., Cu-Exchange Telecommunications Companies.
22	030477-TP	Request by Sprint-Florida, Incorporated for approval of master resale agreement with FLATEL, Inc.
23	020843-TP	Request for approval of interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and FLATEL, Inc. d/b/a Florida Tei Oscatel d/b/a Telephone USA.
24	011631-TP	Request by ALLTEL Florida, Inc. for approval of resale agreement with FLATEL, Inc. d/b/a Florida Telephone Company d/b/a Oscatel d/b/a Telephone USA.
25	011363-TP	Petition by ITS Telecommunications Systems, Inc. for approval of resale agreement with FLATEL, Inc. d/b/a Florida Telephone Company.
26	011121-TX	Request for name change on ALEC Certificate No. 5315 from FLATEL, Inc. d/b/a Florida Telephone Company to FLATEL, Inc. d/b/a Florida Telephone Company d/b/a USA.
27	001633-TP	Request for approval of amendment to resale agreement between BellSouth Telecommunications, Inc. and FLATEL, Inc. d/b/a Florida Telephone Company.
28	001415-TX	Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications Certificate No. 5315 issued to FLATEL, Inc. d/b/a Florida Teleph violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.
29	000160-TP	Request by BellSouth Telecommunications, Inc. for approval of resale agreement with FLATEL, Inc. d/b/a Florida Telephone Company.

*First*