

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: March 26, 2009

TO: Office of Commission Clerk (Cole)

FROM: Division of Regulatory Compliance (Curry)
Office of the General Counsel (McKay, Brooks)

RE: Docket No. 080109-TI – Compliance investigation of MP Alliance Technologies, Inc. for apparent violation of Rule 25-24.470, F.A.C.

AGENDA: 04/07/09 – Regular Agenda – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\RCP\WP\080109.RCM.DOC

Case Background

By Order No. PSC-08-0422-PAA-TI, issued June 24, 2008, the Commission approved MP Alliance Technologies, Inc.'s (MPAT) proposed settlement offer to resolve the company's apparent violation of Rule 25-24.470, Florida Administrative Code (F.A.C.), Registration Required. MPAT was providing intrastate interexchange telecommunications (IXC) services in Florida and had not registered as an IXC or filed a tariff with the Commission. To resolve the company's apparent violation, MPAT proposed to cease operating in Florida and to submit a \$5,000 settlement payment to the Commission. The Order became effective on July 21, 2008, upon issuance of Consummating Order No. PSC-08-0466-CO-TI. MPAT no longer appears to be operating in Florida; however, the company has not submitted the \$5,000 payment as ordered by the Commission.

Docket No. 080109-TI

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The purpose of this recommendation is to obtain the Commission's approval to close this docket. The Commission is vested with jurisdiction over these matters pursuant to Sections 364.02, 364.04, and 364.285, Florida Statutes. Accordingly, staff believes the following recommendation is appropriate.

Discussion of Issues

Issue 1: Should this docket be closed?

Recommendation: Yes, this docket should be closed. **(Curry, McKay, Brooks)**

Staff Analysis: By Order No. PSC-08-0422-PAA-TI, issued June 24, 2008, the Commission approved MPAT's proposed settlement offer to cease operating in Florida and to submit a payment in the amount of \$5,000 to resolve the company's apparent violation of Rule 25-24.470, F.A.C. On July 21, 2008, Consummating Order No. PSC-08-0466-CO-TI was issued making Order No. PSC-08-0422-PAA-TI final and effective.

MPAT no longer appears to be operating in Florida; however, the company has not submitted the \$5,000 payment as ordered by the Commission. Staff has referred the payment to the Department of Financial Services for collection. Therefore, staff recommends that the Commission approve staff's recommendation to close this docket.