



# 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-**

RECORDS AND REPORTING

59 MAY 20 AM 9:58

RECEIVED-FPSC

**DATE:** MAY 20, 1999

**TO:** DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAY)

**FROM:** DIVISION OF COMMUNICATIONS (ISLER) *DK*  
DIVISION OF LEGAL SERVICES (COX) *MC CB*

**RE:** DOCKET NO. 981888-TI - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF IXC CERTIFICATE NO. 4809 ISSUED TO GLOBAL TELEPHONE CORPORATION D/B/A GLOBAL TELEPHONE INTERNATIONAL, INC., FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES.

**AGENDA:** 06/01/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMU\WP\981888.RCM

### CASE BACKGROUND

- 03/07/97 - Global Telephone International, Inc. obtained IXC Certificate No. 4809
- 12/11/97 - The Division of Administration sent the 1997 regulatory assessment fee (RAF) notice by certified mail. The United States Postal Service (USPS) did not return the receipt or unopened envelope.
- 12/02/98 - The Division of Administration notified staff by memorandum that this company did not pay its 1997 RAFs, plus statutory penalties and interest for the year 1997.
- 03/03/99 - Order No. PSC-99-0435-FOF-TI was issued, which imposed a \$500 for nonpayment of the regulatory assessment

DOCUMENT NUMBER-DATE

**06369 MAY 20 99**

FPSC-RECORDS/REPORTING

fee, required payment of the past due fees and fine, or canceled the company's certificate. The company had until March 24, 1999 to protest the Order and until March 31 to pay the past due fees and fine.

- 03/15/99 - The past due regulatory assessment fees were paid in full.
- 04/23/99 - The company's consultant, Mr. Tom Forte with Technologies Management, Inc., called staff and advised he believed everything had been taken care of and that Global's certificate should not have been canceled.
- 04/26/99 - Staff confirmed with the Division of Administration that the RAFs had been paid, but that the \$500 fine was not paid. In addition, our records show that the 1998 fees were paid timely.
- 04/28/99 - The company paid the \$500 fine and filed a petition to reopen the docket and reinstate the company's certificate.

Staff believes the following recommendations are appropriate.

#### DISCUSSION OF ISSUES

ISSUE 1: Should the Commission reinstate Global Telephone International, Inc.'s IXC Certificate No. 4809?

RECOMMENDATION: Yes. (Isler)

STAFF ANALYSIS: Order No. PSC-99-0435-FOF-TI was issued March 3, 1999, which imposed a \$500 fine for the RAFs violation, required payment of the past due RAFs and fine, or canceled the company's certificate. The company paid the past due RAFs, however, the \$500 fine was not paid. Technically, the company was not in compliance with the Order since the \$500 fine was not paid.

The company's consultant, Mr. Tom Forte, called staff and advised the company believed it was in compliance upon remittance of the delinquent regulatory assessment fees, along with statutory penalty and interest charges, and had overlooked the \$500 fine.

DOCKET NO. 981888-11  
DATE: MAY 20, 1999

The company has since paid the \$500 fine and filed a petition to have its certificate reinstated.

Because 1997 was the first year of business for Global, and since the 1998 RAFs were paid on a timely basis, staff believes that Global's Certificate No. 4809 should be reinstated.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if the Commission approves staff's recommendation in Issue 1, this docket should be closed. (Cox)

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, this docket should be closed.