

STATE OF FLORIDA

ORIGINAL

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.



DIVISION OF
TELECOMMUNICATIONS
WALTER D'HAESELEER
DIRECTOR
(850) 413-6600

Public Service Commission

January 24, 2000

991358-TC

Mr. William M. Murphy, President
SM 106 Ltd.
4300 N. University Drive, Suite D-103
Lauderhill, FL 33351

Dear Mr. Murphy:

This is in response to your letter dated January 14 in response to Order No. PSC-99-2482-PAA-TC, issued on December 20, 1999, which imposed a \$500 fine or canceled your certificate. As information, if a certificate is active for any given day during a calendar year, regulatory assessment fees (RAF) are owed for that year. The fee is .0015% of intrastate revenues, or a minimum of \$50, whichever is greater.

In this case, your certificate became active July 14, 1998. The regulatory assessment fee return was mailed December 10, 1998 and became due February 1, 1999. Since the 1998 RAF, plus statutory penalty and interest charges, has not yet been paid, this must be paid immediately. If you owe the minimum, the amount due is the \$50.00 fee, \$12.50 penalty, and \$6.00 interest if your payment is postmarked in January 2000, for a total of \$68.50. If your payment is postmarked in February 2000, the minimum interest charge increases to \$6.50, for a total due of \$69.00. Another copy of the 1998 RAF form is attached.

In addition to paying the past due amount, along with the accrued penalty and interest charges, the company needs to make a settlement offer to resolve this docket. In other cases dealing with this rule violation, the Commission has accepted a \$100 settlement in lieu of the \$500 fine normally imposed. The settlement letter needs to include the following:

- Docket number;
- Statement that it has taken steps to prevent future late payments of the regulatory assessment fees;
- Make a specific monetary settlement;
- Enclose a check for the past due amount of the RAF.

AFA _____
 APP _____
 CAF _____
 CMU _____
 CTR _____
 EAG _____
 LEG _____
 MAS _____
 OPC _____
 RPR _____
 SEC _____
 WAW _____
 OTH _____

DOCUMENT NUMBER - DATE
 01373 FEB-18
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Any settlement offer should be addressed to Ms. Blanca Bayó, Director, Division of Records and Reporting, Florida Public Service Commission, at the above address. As information, the proposed settlement amount should **not** be paid at this time. It will become due after the Commissioners vote on this issue.

Please respond in writing by February 8, 2000. If you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, and by internet e-mail at pisler@psc.state.fl.us.

Sincerely,



Paula J. Isler, Research Assistant
Bureau of Service Evaluation & Compliance

Enclosure

cc: Docket No. 991358-TC
Division of Legal Services (K. Peña)