

STATE OF FLORIDA

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DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

# Public Service Commission

July 31, 2002

Ms. Lynn Merritt, COO  
Natel, L.L.C. (TJ385)  
525 Central Park Drive, Suite 105  
Oklahoma City, OK 73105-1717

**RE: Docket No. 020715-TI**

Dear Ms. Merritt:

On May 23, 2002, I wrote you and explained that the 2001 Regulatory Assessment Fee, plus penalty and interest charges, had not been received and that in order to avoid a docket being established, the Commission must receive payment by June 13, 2002. The letter explained that if a docket was established, just paying the past due amount would not prevent the company's certificate from being cancelled. Payment was not received, therefore, Docket No. 020715-TI was established on July 15, 2002.

On July 24<sup>th</sup>, the Commission received the company's payment. However, there is a penalty and interest balance of \$264.55 for late payment of the 2001 Regulatory Assessment Fee that must be paid. If you would like to cancel your IXC certificate in Florida, you must comply with Rule 25-24.474, Florida Administrative Code. A copy of that rule is enclosed. If you wish to keep your certificate active, you must propose a settlement, instructions enclosed.

Please review this information and respond in writing by August 21, 2002. In the meantime, if you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, by internet e-mail at [pisler@psc.state.fl.us](mailto:pisler@psc.state.fl.us), or at the address below.

Sincerely,

Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures

cc: Docket No. 020715-TC  
Office of the General Counsel (Dodson)

DOCUMENT NUMBER: DATE  
U 8030 JUL 31 02  
FPSC-COMMISSION CLERK

**COMPANY IDENTIFICATION**

Printed on 07/31/2002 at 11:05:53 by PJI

Complete Name: Natel, L.L.C.

Mailing Name: Natel, L.L.C.

Company Code: TJ385                      FEID Number:

**RAF ACCOUNT FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001**

Reg. Date: 06/16/2000                      Inactive Date:  
 Service: IXC - Interexchange Telephone  
 Received: Actual RAF Form  
 Status: Pending  
 Amended: No                                  Extension: No  
 Frozen: No                                    Comments: No  
 Payment Count: 1 Payment Made to Date  
 Operating Rev: \$654,350.00              Interstate Rev: \$2,816,715.00  
 RAF Rate: 0.0015                          Net RAF Due: \$981.53

Assessment	Due	Paid	Owe
RAF	\$981.53	\$981.53	\$0.00
Penalty	\$245.38	\$39.72	\$205.66
Interest	\$58.89	\$0.00	\$58.89
Extension Fee	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$1,285.80</b>	<b>\$1,021.25</b>	<b>\$264.55</b>

Last modification was made on Friday, July 26, 2002 at 11:59 AM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001                      RAF rate: 0.0015  
 Operating rev: \$654,350.00              Interstate rev: \$2,816,715.00  
 Documents: Actual RAF form received on 07/16/2002  
                   RAF form mailed on 05/23/2002  
                   Delinquent letter mailed on 02/20/2002  
                   RAF form mailed on 12/06/2001

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
07/16/2002	07/24/2002	07/26/2002-JIK	IA235	3043	\$1,021.25
	RAF paid		IA235		\$981.53
	Penalty paid		IA235		\$39.72

**25-24.474 Cancellation of a Certificate.**

(1) The Commission may on its own motion cancel a company's certificate for any of the following reasons:

- (a) Violation of the terms and conditions under which the authority was originally granted;
- (b) Violation of Commission rule or order; or
- (c) Violation of Florida Statutes.

(2) If a certificated company desires to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following with its request.

- (a) Statement of intent and date to pay Regulatory Assessment Fee.
- (b) Statement of why the certificate is proposed to be cancelled.
- (c) A statement on treatment of customer deposits and final bills.
- (d) Proof of individual customer notice regarding discontinuance of service.

(3) Cancellation of a certificate shall be ordered subject to the holder providing the information required by subsection (2).

Specific Authority 350.127(2) FS.

Law Implemented 350.113, 350.127(1), 364.285, 364.337, 364.345 FS.

History--New 2-23-87, Amended 3-13-96.

## Settlement Proposals

All settlements must include the following elements:

- 1) Docket number;
- 2) A statement that the company has taken steps to prevent future late payments of the regulatory assessment fees and what those steps are;
- 3) A waiver of objection, which should state: The company agrees to waive any objection to the administrative cancellation of its certificate should it fail to pay in accordance with its settlement offer. If, however, there is a factual dispute as to the manner or level of compliance with any provision in the settlement, Commission staff will bring the matter to the Commission for consideration; and
- 4) A specific monetary settlement. There is normally a \$500 fine for this rule violation. However, in other similar cases, the Commission has accepted settlements between \$100 and \$500.

Any settlement offer/correspondence should be addressed to Ms. Blanca Bayó, Director, Division of the Commission Clerk & Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. The proposed settlement amount should **not** be paid at this time. The settlement amount, if approved by the Commission, must be paid within 14 calendar days after the Commission Order is issued.