

ORIGINAL

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date July 9, 2004 Docket No. 040715-JC

1. Division Name/Staff Name: Division of Competitive Markets and Enforcement/Toni McCoy

2. OPR: Toni McCoy, CMP [Signature]

3. OCR: GCO

4. Suggested Docket Title: Request for cancellation on PATS certificate No. 6090 by Vendall Companies, Inc. d/b/a Vendall Communications, effective 6/24/04.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES OR ACRONYMS ONLY if a regulated company.
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies)
1. Parties and their representatives (if any):

Table with 2 columns and 6 rows for listing parties and representatives.

2. Interested persons and their representatives (if any):

Table with 2 columns and 4 rows for listing interested persons and representatives.

6. Check one:
X Documentation is attached.
Documentation will be provided with recommendation

384
6/25/04

Vendall Companies, Inc. d/b/a

COMPANY NAME: Vendall Communications CO. CODE: TG519

COMPANY LIAISON: Mitchel Guertler, President

DOCKET NO.: _____ CERTIFICATE NO.: 609C EFFECTIVE: 05/21/99
INACTIVE: _____

RAF RETURN NOTICE: _____

2003 Returned: Reason:
DELINQUENT NOTICE: 03/18/04 Unclaimed

OTHER RETURNED MAIL: _____

CCA'S RETURNED MAIL: _____

YEAR(s) RAFs NOT PAID: 2003

YEAR(s) PENALTIES & INTEREST NOT PAID: 2003

	Amount	Year	Paid
REVENUES/YEAR:	<u>\$9,753</u>	<u>2002</u>	<u>02/25/03</u>

DATE LOTUS CHECKED FOR PAYMENT: _____

OTHER INFORMATION

04/09/04 - As of this date payment of the 2003 RAF has not been received.

Fiscal turned over this uncollectible account to CMP.

05/26/04 - Wrote company (mailed) and advised it to pay 2003 RAF, plus P&I.

TMS #1345 - Response due 06/25/04.

6/15/04 - MG called @ 11:52 am & sd he wants to
cancel his acct. - no longer in cmus bs
Adv him to pay \$115 (\$105 for 2003

Cont.

6/15/04 - a \$50 for 2004) & write letter

• req. cancellation.

6/24/04 - Item Co. - Paym. of 2003 BAF, P&I

plus 2004 BAF

6/25/04 - Item file to JG for handling.

Voluntary Cancellation, Eff. 6/24/04

Pay Telephone Service Provider Regulatory Assessment Fee Return

cc. closing
STATUS:

Florida Public Service Commission
(See Filing Instructions on Back of Form)

FOR PSC USE ONLY	
Check#	8377
\$	50.00 0603002
\$	12.50 P 003001
\$	2.50 0603002
	004011
Postmark Date	6-19-04
Initials of Preparer	PT

TG519-03-0-R	50.00
Vendall Communications	2004
3684 N.W. 16th Street	DEPOSIT DATE
Lauderhill, FL 33325-4152	474 JUN 24 2004
CC: P. Isler	

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:
01/01/2003 TO 12/31/2003

Records
PAMALA

Please Complete Below If Official Mailing Address Has Changed

(Name of Company)	(Address)	(City/State)	(Zip)
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LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue (Florida)	\$ _____
2.	Gross Intrastate Revenue	_____
3.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	_____
4.	TOTAL REVENUES for Regulatory Assessment Fee Calculation (Line 2 less Line 3)	_____
5.	Regulatory Assessment Fee Due – (Multiply Line 4 by 0.0015)	_____
6.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	12.50
7.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	2.50
8.	TOTAL AMOUNT DUE	\$ 65.00

AS PROVIDED IN SECTION 364.336 FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50.00 ⁷⁰ 115.00

THIS FORM MUST BE COMPLETED AND RETURNED REGARDLESS OF THE AMOUNT OF REVENUES REPORTED

9. Number of pay telephones in operation at close of period covered by this Return 70

* These amounts must be intrastate only and must be verifiable.

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

[Signature]
(Signature of Company Official)
Mitchell Custer
(Preparer of Form - Please Print Name)

[Signature]
(Title)
6/19/04
(Date)

Telephone Number 814-285-4770 Fax Number ()

F.E.I. No. _____

COMPANY IDENTIFICATION

Printed on 07/09/2004 at 11:08:28 by TJM

Complete Name: Vendall Companies, Inc. d/b/a Vendall Communications

Mailing Name: Vendall Communications

Company Code: TG519

FEID Number: 65-0858793

RAF ACCOUNT FOR THE PERIOD 01/01/2004 THROUGH 12/31/2004

Reg. Date: 5/21/1999	Inactive Date:
Service: PAT - Pay Telephone	
Received: Actual RAF Form	
Status: Satisfied	
Amended: No	Extension: No
Frozen: No	Comments: No
Payment Count: 1 Payment Made to Date	
Operating Rev: \$0.00	Interstate Rev: \$0.00
RAF Rate: 0.0015	Net RAF Due: \$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$50.00	\$50.00	\$0.00

Last modification was made on Thursday, June 24, 2004 at 8:39 AM by David Brown

COMPANY IDENTIFICATION

Printed on 07/09/2004 at 11:09:53 by TJM

Complete Name: Vendall Companies, Inc. d/b/a Vendall Communications

Mailing Name: Vendall Communications

Company Code: TGS19 FEID Number: 65-0858793

COMPANY INFORMATION

Address Line 1: 3684 N.W. 16th Street

Address Line 2:

City: Lauderhill

State: FL Zip Code: 33325-4152

Reg. Date: 05/21/1999

Inactive Date:

Transferred To:

Trans. From:

Certificate 1: 6090

Certificate 2:

Corporate Type:

Service 1: PAT - Pay Telephone

Service 2:

Service 3:

Service 4:

Class (WAW):

Phone Count:

County 1:

County 2:

County 3:

County 4:

Bankruptcy: No

COMPANY IDENTIFICATION

Printed on 07/09/2004 at 11:09:49 by TJM

Complete Name: Vendall Companies, Inc. d/b/a Vendall Communications

Mailing Name: Vendall Communications

Company Code: TG519 FEID Number: 65-0858793

MAILING INFORMATION

Attention: ⁴

Address Line 1: 3684 N.W. 16th Street

Address Line 2:

City: Lauderhill

State: FL

Zip Code: 33325-4152

E-mail Address: mg@vendallonline.com

Web Address:

Liaison 1: Mitchel Guertler

Liaison 2:

Title: President

Title:

Phone:

Phone:

E-mail:

E-mail:

Fax 1:

Fax 2:

County:

Paula Isler

From: Kay Flynn
Sent: Thursday, June 24, 2004 8:39 AM
To: Paula Isler
Subject: RE: Vendall Communications (TG519)

The number is 06942-04, and I think Raquel is sending you a copy of the form as well.

-----Original Message-----

From: Paula Isler
Sent: Thursday, June 24, 2004 8:37 AM
To: Kay Flynn
Subject: RE: Vendall Communications (TG519)

I will need proof of payment to send Jackie, though. Can you send me a copy or provide me with the document # once it is scanned? Thanks.

-----Original Message-----

From: Kay Flynn
Sent: Thursday, June 24, 2004 8:30 AM
To: Paula Isler
Subject: RE: Vendall Communications (TG519)

ok

-----Original Message-----

From: Paula Isler
Sent: Thursday, June 24, 2004 8:29 AM
To: Kay Flynn
Cc: Dorothy Menasco
Subject: RE: Vendall Communications (TG519)

I will forward file to Jackie Gilchrist for handling. Thanks.

-----Original Message-----

From: Kay Flynn
Sent: Thursday, June 24, 2004 8:28 AM
To: Paula Isler
Cc: Dorothy Menasco
Subject: RE: Vendall Communications (TG519)

Okay.

In this instance, since we don't have anything in writing from the company, would you please prepare a request to establish docket form and we will use that for opening the docket.

Thanks.

Kay

-----Original Message-----

From: Paula Isler
Sent: Thursday, June 24, 2004 8:22 AM
To: Kay Flynn
Cc: Dorothy Menasco
Subject: RE: Vendall Communications (TG519)

I should have looked at my file before. I had written the company on 5/26 and explained

that we had not received the 2003 RAF. Mitch Guertler called me on 6/15 and said he wants to cancel his certificate because he is no longer in the payphone business. I advised him to pay \$115 for 2003 and 2004 and write a letter requesting cancellation. Since I know for a fact that he wants to cancel, it is OK to go ahead and open a docket with an effective date of when we received payment. Thanks.

-----Original Message-----

From: Kay Flynn
Sent: Thursday, June 24, 2004 8:17 AM
To: Paula Isler
Cc: Raquel Tully; Dorothy Menasco
Subject: RE: Vendall Communications (TG519)

Raquel came over and clarified that they DID pay \$50 for 2004 RAFs, just didn't have a separate form for that. I'll correct my posting in CMS. Also, the note on the form "final co closing" was copied by Raquel onto the form from what was written on the check.

This means we do have the 2004 payment, but we don't have a "formal" request to cancel. Do you want to open a docket using a req to est dkt form, or will you call them first for a more formal request to cancel?

-----Original Message-----

From: Kay Flynn
Sent: Thursday, June 24, 2004 8:02 AM
To: Paula Isler
Cc: Raquel Tully
Subject: RE: Vendall Communications (TG519)

Well, it looks like they wrote on the 2003 form a 50 below the "total amount due" line, then totalled it to \$115....but we're only showing a deposit of \$65.

I'll ask Raquel by cc: if perchance we got another \$50 payment for this year that somehow Records didn't get a copy of. Raquel?

Kay

-----Original Message-----

From: Paula Isler
Sent: Thursday, June 24, 2004 7:58 AM
To: Kay Flynn
Subject: RE: Vendall Communications (TG519)

Unless they paid 2004 also, no don't open a docket. I'll have to contact them. Thanks

-----Original Message-----

From: Kay Flynn
Sent: Thursday, June 24, 2004 7:55 AM
To: Paula Isler
Subject: Vendall Communications (TG519)

Paula, we have payment info for 2003 RAFs with P&I for this company. In upper left-hand corner of the form is the note "Final Co. Closing" so I'm wondering if we will be opening a docket to cancel their PATS cert?

Kay

STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



DIVISION OF COMPETITIVE MARKETS &
ENFORCEMENT
BETH W. SALAK
DIRECTOR
(850) 413-6600

Public Service Commission

May 26, 2004

Mr. Mitchel Guertler, President
Vendall Companies, Inc. d/b/a Vendall Communications (TG519)
3684 NW 16th Street
Lauderhill, FL 33325-4125

Dear Mr. Guertler:

The Regulatory Assessment Fee (RAF) is due by January 30th of each year for the preceding calendar year. For certificate holders, the RAF is owed even if a telecommunications company may not have started operations or had any revenues. Since payment has not been made, statutory penalty and interest charges are now applicable.

Our records show that the 2003 RAF return notice was mailed on December 12, 2003, and a delinquent notice was mailed on February 20, 2004. As of this date, our records do not show receipt of the RAF return or payment. A copy of the 2003 RAF return form is enclosed. If full payment, including penalty and interest charges, along with the RAF return form, are not received by June 25, 2004, a docket may be established. Since this will be the third time a docket is established for the same rule violation, staff intends to recommend cancellation of the company's certificate if you do not respond. Please note that once a docket has been established, **just paying the delinquent RAF amount will not prevent your certificate from being cancelled.**

If you wish to cancel your certificate voluntarily and leave in good standing with the Commission, your company should pay the past due amount in full, complete the 2003 RAF return form, either pay the 2004 RAF or provide a date certain it will be paid, and comply with the requirements of Rule 25-24.514, Florida Administrative Code, copy enclosed. Any unpaid RAFs, including penalty and interest charges, are turned over to collections. When returning payment and a copy of the completed 2003 Regulatory Assessment Fee return form, please use the enclosed blue envelope, which will insure prompt processing.

Mr. Mitchel Guertler, President
Page 2
May 26, 2004

If you have any questions, please contact me at (850) 413-6502, by fax at (850) 413-6503, by e-mail at pisler@psc.state.fl.us, or by writing to me at the address listed at the bottom of Page One.

Sincerely,

A handwritten signature in black ink, appearing to read "Paula J. Isler", is written over a light gray rectangular background.

Paula J. Isler, Research Assistant
Bureau of Service Quality

Enclosures
TMS #1345

Pay Telephone Service Provider Regulatory Assessment Fee Return

STATUS:

- Actual Return
 Estimated Return
 Amended Return

PERIOD COVERED: 01/01/2003 TO 12/31/2003

Florida Public Service Commission

(See Filing Instructions on Back of Form)

TG519-03-0-R Vendall Communications 3684 N.W. 16th Street Lauderdale, FL 33325-4152 <i>cc: P. Isler</i>

FOR PSC USE ONLY	
Check# _____	
\$ _____	0603002 003001
\$ _____	P 0603002 004011
\$ _____	J
Postmark Date _____	
Initials of Preparer _____	

Please Complete Below If Official Mailing Address Has Changed

(Name of Company)	(Address)	(City/State)	(Zip)
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LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue (Florida)	_____
2.	Gross Intrastate Revenue	_____
3.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	(_____)
4.	TOTAL REVENUES for Regulatory Assessment Fee Calculation (Line 2 less Line 3)	_____
5.	Regulatory Assessment Fee Due -- (Multiply Line 4 by 0.0015)	_____
6.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____
7.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____
8.	TOTAL AMOUNT DUE	\$ _____

AS PROVIDED IN SECTION 364.336 FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50

THIS FORM MUST BE COMPLETED AND RETURNED REGARDLESS OF THE AMOUNT OF REVENUES REPORTED

9. Number of pay telephones in operation at close of period covered by this Return _____

* These amounts must be intrastate only and must be verifiable

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

(Signature of Company Official)	(Title)	(Date)
(Preparer of Form - Please Print Name)	Telephone Number (____) _____	Fax Number (____) _____
F.E.I. No. _____		

25-24.514 Cancellation of a Certificate.

- (1) The Commission may 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 rules or orders;
 - (c) Violation of Florida Statutes; or,
 - (d) Failure to provide service for a period of six (6) months.

(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.

(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), 364.03, 364.285, 364.337, 364.345 FS.

History--New 1-5-87.

CERTIFIED MAIL



7002 0660 0001 3760 5846

State of Florida
Public Service Comm

2540 Shumard Oak Boulevard
Tallahassee, Florida 32309-0850

POST OFFICE
No such street address.
No such office in state.
Do not mail in this envelope

DECLAIM

72 619

TGS 10 030-D
Communications
Vending
3684 N W 11th Street
Lauderhill, FL 33325-4152

February 20, 2004

047362004132

\$04.420

02/20/04

POST OFFICE
No such street address.
No such office in state.
Do not mail in this envelope

2/24/04

DECLAIM

[Redacted area]

STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



OFFICE OF GENERAL COUNSEL
RICHARD D. MELSON
(850) 413-6199

Public Service Commission

February 20, 2004

TG519-03-0-D
Vendall Communications
3684 N.W. 16th Street
Lauderhill, FL 33325-4152

Dear Certificate Holder:

The Division of the Commission's Clerk and 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, for the year 2003, which was due January 30, 2004. The RAFs return form was mailed to you on December 15, 2003, and to date, Commission records reflect that payment has not been received.

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.

Utilities are charged with knowledge of our rules and statutes. Moreover, it is general Commission practice that all utilities that apply for Pay Telephone certificate receive a copy of all applicable rules. Further, in accordance with Section 364.335, Florida Statutes, as part of the application process, utilities provide an affidavit indicating that they have read and understood the applicable rules.

If you wish to request another form, please contact David Brown or Valorie Moore 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 or cancel your certificate. 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 David Brown at (850) 413-6267 or Valorie Moore at 413-6275 or via Internet e-mail at dbrown@psc.state.fl.us or vmoore@psc.state.fl.us.

Sincerely,

Richard D. Melson
General Counsel

KMP

Enclosure

cc: David Brown, Bureau of Administrative Services/Fiscal Services Section
Valorie Moore, Bureau of Administrative Services/Fiscal Services Section

COMPANY IDENTIFICATION

Printed on 04/26/2004 at 13:48:12 by PJI

Complete Name: Vendall Companies, Inc. d/b/a Vendall Communications

Mailing Name: Vendall Communications

Company Code: TG519 FEID Number: 65-0858793

RAF ACCOUNT FOR THE PERIOD 01/01/2003 THROUGH 12/31/2003

Reg. Date:	05/21/1999	Inactive Date:	
Service:	PAT - Pay Telephone		
Received:	No RAF Form		
Status:	Pending		
Amended:	No	Extension:	No
Frozen:	No	Comments:	No
Payment Count:	0 Payments Made to Date		
Operating Rev:	\$0.00	Interstate Rev:	\$0.00
RAF Rate:		Net RAF Due:	\$0.00

Assessment	Due	Paid	Owe
RAF	\$0.00	\$0.00	\$0.00
Penalty	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Last modification was made on Wednesday, December 3, 2003 at 9:45 AM by David Brown

Period covered: 01/01/2003 through 12/31/2003 RAF rate:
 Operating rev: \$0.00 Gross intrastate rev: \$0.00
 Documents: Delinquent letter mailed on 02/20/2004
 Delinquent letter mailed on 02/19/2004
 RAF form mailed on 12/03/2003