ORIGINAL DISTRIBUTION CENTER

FROM:

Ann Terputac Executor of the Estate of James W. DeBolt 921 Lodgepole Drive Cell # 412-335-5552 Imperial, PA 15126

06 AUG -4 AN 7: 10

TO:

State of Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

DLODY109.TC

This is a request for the abatement of the penalty for failure to file the returns for regulatory assessment fees for revenue from public telephones owned by individuals.

James W. DeBolt died on April 5, 2006. I, Ann Terputac, am the executor of the estate of James W. DeBolt and have no idea as to what needs to be filed. You can call or write to me to discuss this. Faxed is a copy of:

- A. Death certificate
- B. Letter of administration
- C. Pay telephone operating certificate Certificate # 4545 Docket # 951565

This information is being faxed on August 2, 2006 and a copy will be mailed the same day.

I plan to file all required reports immediately and to sell the telephones to a third party licensed with the public service commission before December 31, 2006.

Icensed with t ICHPO ALREANY PMXEN JO YOU OH AUG-2, DOUG Sincerely, Ann Terputac CMP _____ COM _____ CTR ECR STATE OF FLORIDA GCL PUBLIC SERVICE COMMISSION 2540 SHUMARD OAK BLVD. TALLAHASSEE. FL. 32399 PAY TELEPHONE OPERATING CERTIFICATE OPC CERTIFICATE # 4545 DOCKET # 951565 RCA ISSUED TO: JAMES W. DEBOLT SCR 1715 TAMPA STREET ADDRESS: TAMPA, FL. 33602 SGA ISSUED: SEC I SIGNATURE OTH

DOCUMENT NUMBER-DATE

06964 AUG-48

FPSC-COMMISSION CLERK

IN THE CIRCUIT COURT FOR HILLSBOROUGH COUNTY, FLORIDA PROBATE DIVISION

IN RE: ESTATE OF

File No. <u>06-1049</u>

JAMES WILLIAM DeBOLT,

Division A

Deceased.

LETTERS OF ADMINISTRATION (single personal representative)

TO ALL WHOM IT MAY CONCERN:

WHEREAS, JAMES WILLIAM DeBOLT, a resident of Hillsborough County, Florida, died on April 5, 2006, owning assets in the State of Florida, and

WHEREAS, ANN D. TERPUTAC has been appointed Personal Representative of the estate of the decedent and has performed all acts prerequisite to issuance of Letters of Administration in the estate,

NOW, THEREFORE, I, the undersigned Circuit Judge, declare ANN D. TERPUTAC duly qualified under the laws of the State of Florida to act as Personal Representative of the estate of JAMES WILLIAM DeBOLT, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

Ordered on 2006.

STATE OF FLORIDA COUNTY OF HILLSBOROUGH Circuit Judge day THIS IS TO CERTIFY THAT THE FOREGOING TRUE AND CORRECT COPY OF 18 #1818487v1 00 IN MY THE OFFICE AND IS IN FORGE AND DAYOF EFFECT çö FRANK CLERK OF THE CIRCUIT/COURT D.C. Form No. PA-3.0700 CLEPK Effective January 2006

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BEFORE THE PUBLIC SERVICE COMMISSION

In re: Compliance investigation of PATS DOCKET NO. 060469-TC certificate holders for apparent second-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

NOTICE OF PROPOSED AGENCY ACTION ORDER IMPOSING PENALTIES AND COLLECTION COSTS, AND REQUIRING PAYMENT OF DELINQUENT REGULATORY ASSESSMENT FEES, OR CANCELLING PATS CERTIFICATES FOR VIOLATION OF RULE 25-4.0161, FLORIDA ADMINISTRATIVE CODE

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Pursuant to Rule 25-4.0161(10), Florida Administrative Code, telecommunications companies that fail to pay the Regulatory Assessment Fee, including statutory late payment charges, within 15 days after receiving a delinquent notice, shall be automatically penalized \$500 for a first offense, \$1,000 for a second offense, and \$2,000 for a third offense. The penalty amounts include collection costs. If an entity fails to pay the Regulatory Assessment Fee in full, including statutory late payment charges, along with the penalty amount, that entity's certificate shall be cancelled.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee of \$50 if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. Pursuant to Section 350.113(4), Florida Statutes, the Regulatory Assessment Fee return forms, for the period of January 1 through December 31, are mailed to entities at least 45 days prior to the date that payment of the fee is due. All entities that apply for a certificate receive a copy of our rules governing pay telephone service (PATS).

The Division of the Commission Clerk and Administrative Services (CCA) advised our staff that the entities listed below failed to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. In addition, each entity listed below has had a prior docket for the same rule violation in which each entity proposed a settlement or paid the penalty imposed to resolve its respective docket.

DOCUMENT NUMBER-DATE 06375 JUL 20 % FPSC-COMMISSION CLERK