

Raquel Tully

TS159

From: Paula Isler
Sent: Monday, December 17, 2007 1:27 PM
To: Raquel Tully
Cc: Charlene Poblete; Victor McKay
Subject: RE: Payment from Suite Partners, Inc. d/b/a Summit Executive Suites (TS159)

DEPOSIT DATE
 794 DEC 17 2007

CK# 8123
 \$ 200.⁰⁰ T Fun
 300.⁰⁰ Fine

Deposit \$200 in the Public Service Trust Fund for collection costs and the balance of \$300 in the General Revenue Fund. Please provide the Clerk's office with proof of payment so that it can be documented in Docket No. 070538-TS.

12/13/07

From: Raquel Tully
Sent: Monday, December 17, 2007 1:14 PM
To: Paula Isler
Subject:

RT

We received a \$500.00 check from Summit Executive Suites, Docket 070538. Please tell me the breakdown

Summit Executive Suites
 13575 58th St. North Ste 200
 Clearwater, FL 33760

DOCUMENT NUMBER-DATE

11016 DEC 18 07

FPSC-COMMISSION CLERK

Jake Fisher

From: "Jake Fisher" <Jake@summitbldg.com>
To: "Charlene Poblete" <CPOBLETE@PSC.STATE.FL.US>
Cc: "Paula Isler" <Pisler@PSC.STATE.FL.US>; "Victor McKay" <VMcKay@PSC.STATE.FL.US>
Sent: Wednesday, December 12, 2007 3:26 PM
Subject: Re: Docket No. 070538-TS

Dear Ms. Poblete,

As you probably anticipate, my opinion is that your response below, at the very least represents inhumane bureaucracy at work, and at it's worst is anger provoking.

There is nothing you could say that could or would convince me that a \$500 fine the late filing of a \$59.47 annual fee is any thing less that egregious. In fact it's worst than that. The system that you represent and perpetuate by your actions and inactions, is very difficult to navigate. It took several phone calls to various people before I finally spoke to someone who could guide me in the right direction and at his suggestion, I filed the required appeal. Unfortunately, I assumed that an appeal process indicated that there was a humane aspect to the process. Instead I get a response that could just have well been generated automatically by a robot. The unfortunate thing is that you probably have no clue why I say that and/or you're so insensitive or arrogant, you just don't care.

Even the choices are not "reasonable". Either pay the \$500 fine or spend days traveling back and forth to Tallahassee to participate in a hearing, a preheating conference, discovery and pre-filing of testimony. One might think I was lobbying to have the Declaration of Independence altered. Given the lack of humane intervention so far as well as the difficulty navigating the system, I can't imagine that going to Tallahassee would be anything other than just more of a waste of my time and money, at the least and once again anger provoking at it's worst. I guess that makes the \$500 fine seem reasonable, but is that a valid conclusion? I don't think so. It's just the lesser of two evils.

So it's not just the money, it's the time, both of which are very precious commodities to small business owners and, it's the lack of humane intervention by individuals, like you, who perpetuate the ill will that beaucracy's like the one that you represent, are humane and efficient. In conclusion, under seperate cover, I will be sending a check in the amount of \$500 on December 17, 2007. Additionally, even though I realize that the PSC operates independent of the Government of the State of Florida, I am going to write a letter to the Govonor's office. As I understand it, the Governor is a pretty humane guy. If nothing else, he will be made aware of how the PSC treats their small businesses and imposes what I consider to be unreasonable penalties.

Sincerely,

Jacob Fisher

P.S. I will also make sure that Summit Executive Suites is re-registered with the Florida Department of State, Division of Corporations, to insure compliance.

| ---- Original Message ----

12/13/2007

From: Charlene Poblete
To: jake@summitbldg.com
Cc: Paula Isler ; [Victor McKay](#)
Sent: Wednesday, November 28, 2007 4:57 PM
Subject: Docket No. 070538-TS

Dear Mr. Fisher:

Thank you for contacting us regarding Docket No. 070538-TS. We understand your concerns and hope to address them with the following information.

As you know, pursuant to Section 364.336, Florida Statutes, licensed telecommunication companies shall pay to the Commission an annual Regulatory Assessment Fee. Companies that fail to pay the Regulatory Assessment Fee on time will receive a delinquency notice sent by certified mail. (Rule 25-4.0161(9), Florida Administrative Code). Companies that fail to pay the Regulatory Assessment Fee, including statutory late payment charges, within fifteen (15) days after receiving this delinquency notice **shall be automatically penalized \$500** for a first offense. (Rule 25-4.0161(10)-(11), F.A.C.)

If an entity fails to pay the Regulatory Assessment Fee in full, including statutory late payment charges, **along with the applicable penalty amount**, the Commission has the authority to cancel that entity's IXC tariff and registration (Rule 25-4.0161(11), F.A.C.)

These rules apply to registrations that are active for any single day during a calendar year, whether or not a company has ever started operations. Furthermore, it applies to the same, regardless of the length of time a company has been registered with the Commission and the nature of the payment history therein.

In addition, pursuant to Rule 25-4.0161(7), F.A.C., a company may request from the Office of Commission Clerk a thirty (30) day extension of its due date for payment or filing. Therefore, whether a company's staffing needs are being met at or around the due date will not excuse the company from its obligation to timely remit the Regulatory Assessment Fee.

Based on our records, Suite Partners, Incorporated, received a delinquency notice on February 22, 2007. By failing to submit payment by March 9, 2007 (within 15 days of receipt of the notice), the company was automatically fined \$500.

To date, our records show that the fee, including statutory late payment charges, have been paid, but that the \$500 fine has **not** been paid. The docket referenced above was established on July 27, 2007, due to Suite Partners, Incorporated's failure to pay the penalty amount of \$500. As stated above, this fine was automatically imposed as a result of the company's failure to timely pay the 2006 Regulatory Assessment Fee.

At this time, Suite Partners, Incorporated, may opt to take either of the following actions:

- (1) Pay the \$500 fine; or
- (2) Go forward with a hearing before the Commission, which will be held in **Tallahassee, Florida**. Please be advised that a hearing will require your presence at both the Prehearing Conference and the Hearing as well as participation in discovery and the pre-filing of testimony.

Please let us know by Monday, December 17, 2007, how the company wishes to proceed.

Also, please note that the company's fictitious name, Summit Executive Suites, is no longer registered with the Florida Department of State, Division of Corporations. If Suite Partners, Incorporated, wishes to keep its certificate active, the company must register its fictitious name with the Department of State as soon as possible.

Please let me know if I can be of any assistance in this matter.

Thank you.

Charlene C. Poblete
Attorney, Office of the General Counsel

12/13/2007

Florida Public Service Commission
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E-mail: cpoblete@psc.state.fl.us