

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

ACKNOWLEDGMENT OF CANCELLATION DOCKET NO. 080716-TI
OF IXC REGISTRATION NO. TK036 BY
TS TELECOMMUNICATIONS, INC. D/B/A
CROSSFONE, EFFECTIVE DECEMBER 18,
2008.

ACKNOWLEDGMENT OF CANCELLATION DOCKET NO. 080717-TI
OF IXC REGISTRATION NO. TK118
BY LATIN NODE, INC., EFFECTIVE
DECEMBER 18, 2008.

ACKNOWLEDGMENT OF CANCELLATION OF DOCKET NO. 080718-TI
IXC REGISTRATION NO. TK170 BY TOTAL
SOLUTIONS TELECOM INC., EFFECTIVE
DECEMBER 18, 2008.

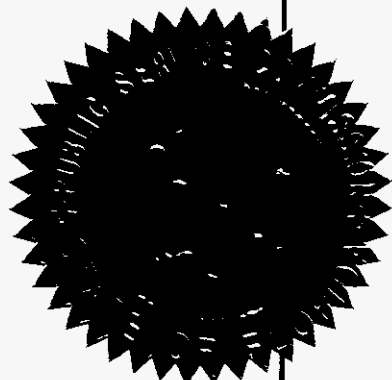
PROCEEDINGS: AGENDA CONFERENCE
ITEM NO. 9

BEFORE: CHAIRMAN MATTHEW M. CARTER, II
COMMISSIONER LISA POLAK EDGAR
COMMISSIONER KATRINA J. McMURRIAN
COMMISSIONER NANCY ARGENZIANO
COMMISSIONER NATHAN A. SKOP

DATE: Tuesday, April 7, 2009

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: LINDA BOLES, RPR, CRR
Official FPSC Reporter
(850) 413-6734



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P R O C E E D I N G S

CHAIRMAN CARTER: Now, Commissioners and staff, we move to Item 9. Staff, you're recognized.

MS. ISLER: Item 9 is staff's recommendation to cancel three companies' IXC registrations due to an assignment for the benefit of creditors' proceeding, which is, I've been told is like a bankruptcy under the Florida Statutes, and write off the unpaid regulatory assessment fees.

CHAIRMAN CARTER: Commissioner Skop.

COMMISSIONER SKOP: Thank you, Mr. Chairman.

Again, I had a similar concern on this in terms of the diligence of the Commission in pursuing such fees that may be outstanding. While staff is correct, essentially assignment for benefit of the creditors is similar to a bankruptcy, one significant difference is the automatic stay under bankruptcy law does not attach. And there is a provision where if a proof of claim is filed, that a government, governmental agency pursuant to statute has the ability to go after the assignee for the claim.

So, again, I don't know, I didn't get a chance to research the points of law on that. But, again, without filing the proof of claim, and there's a 120-day hard bar on that, we're out of luck. So, again, if we

1 have notification of the pending petition in the court
2 to make that assignment, it might be, might behoove the
3 Commission to, to make that filing just for the sake of
4 doing it. Without doing so we have no recourse. So,
5 again, to protect the state's interest I would just ask
6 staff to take a look at that and find out what options
7 may be available to the Commission to preserve the
8 state's interest in the preassignment amounts.

9 CHAIRMAN CARTER: Commissioners, anything
10 further?

11 COMMISSIONER SKOP: And I'd move the staff
12 recommendation on that, also.

13 COMMISSIONER McMURRIAN: Second.

14 CHAIRMAN CARTER: It's been moved and properly
15 seconded to accept staff's recommendation on Item 9, I
16 believe we're on. Right?

17 Any further discussion? Any further debate?
18 Any questions? Hearing none, let it be known by the
19 sign of aye.

20 (Unanimous affirmative vote.)

21 All those opposed, like sign. Show it done.

22 (Agenda Item 9 concluded.)

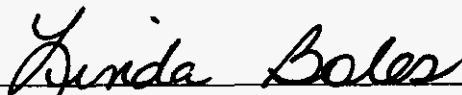
1 STATE OF FLORIDA)
2 COUNTY OF LEON) : CERTIFICATE OF REPORTER

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4 I, LINDA BOLES, RPR, CRR, Official Commission
5 Reporter, do hereby certify that the foregoing
6 proceeding was heard at the time and place herein
7 stated.

8 IT IS FURTHER CERTIFIED that I
9 stenographically reported the said proceedings; that the
10 same has been transcribed under my direct supervision;
11 and that this transcript constitutes a true
12 transcription of my notes of said proceedings.

13 I FURTHER CERTIFY that I am not a relative,
14 employee, attorney or counsel of any of the parties, nor
15 am I a relative or employee of any of the parties'
16 attorneys or counsel connected with the action, nor am I
17 financially interested in the action.

18 DATED this 16th day of April, 2009.

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LINDA BOLES, RPR, CRR
FPSC Official Commission Reporter
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