

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF DEVELOPMENT OF RULEMAKING

TO

ALL INTERESTED PERSONS

DOCKET NO. 110224-TP

IN RE: PROPOSED AMENDMENT OF RULE 25-4.0161, F.A.C.,
REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES

ISSUED: August 8, 2011

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated rulemaking to amend Rule 25-4.0161, F.A.C., to reduce the regulatory assessment fee for telecommunications companies under Sections 350.113 and 364.336, F.S.; to remove references to company types no longer regulated by the Commission; to amend regulatory assessment fee filing forms; and to clarify requirements for requesting a filing extension.

The attached Notice of Development of Rulemaking appeared in the July 29, 2011, edition of the Florida Administrative Weekly. A staff rule development workshop will be held at the following time and place:

Monday, August 22, 2011, at 9:30 a.m.
Florida Public Service Commission
Betty Easley Conference Center, Room 148
4075 Esplanade Way
Tallahassee, Florida 32399-0850

A copy of the draft rule and the agenda for the workshop are attached. One or more Commissioners may be in attendance and participate in the workshop. Participants' post-workshop written comments will be due by August 29, 2011. Participants are invited to bring written comments with them to the workshop. The person to be contacted regarding the proposed rule development is Kathryn G.W. Cowdery, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0850 at (850) 413-6216.

In accordance with the Americans with Disabilities Act, persons requiring a special accommodation to participate at this workshop should contact the Office of Commission Clerk no later than five days prior to the workshop at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD), Florida Relay Service.

DOCUMENT NUMBER-DATE

05557 AUG -8 =

FPSC-COMMISSION CLERK

By DIRECTION of the Florida Public Service Commission this 8th day of August, 2011.



HONG WANG
Chief Deputy Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
(850) 413-6770
www.floridapsc.com

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NOTICE OF DEVELOPMENT OF RULEMAKING

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-4.0161: Regulatory Assessment Fees; Telecommunications Companies.

PURPOSE AND EFFECT: Rule 25-4.0161 would be amended to reduce the regulatory assessment fee for telecommunications companies under s. 350.113 and 364.336, F.S., as required by s. 364.336, F.S., to remove references to company types no longer regulated by the Commission, to amend regulatory assessment fee filing forms, and to clarify requirements for requesting a filing extension. Docket No. 110224-TP.

SUBJECT AREA TO BE ADDRESSED: Telecommunications utility regulation.

RULEMAKING AUTHORITY: 350.127(2), FS

LAW IMPLEMENTED: 350.113, 364.285, 364.336 FS

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, August 22, 2011 - 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL 32399-0850.

One or more Commissioners may be in attendance and participate in the workshop. In accordance with the Americans with Disabilities Act, persons requiring a special accommodation to participate at this workshop should contact the Office of Commission Clerk no later than five days prior to the workshop at 2540 Shumard Oak Boulevard., Tallahassee, Florida 32399-0850, via 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD), Florida Relay Service.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE

DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:

Kathryn G.W. Cowdery, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6216, kcowdery@psc.state.fl.us. The agenda for the workshop and a copy of the preliminary draft of the proposed rule amendment will be available on the Commission's website, www.floridapsc.com, and in this docket after August 8, 2011.

FLORIDA PUBLIC SERVICE COMMISSION

AGENDA

STAFF WORKSHOP

IN RE: PROPOSED AMENDMENT OF RULE 25-4.0161, F.A.C.,
REGULATORY ASSESSMENT FEES; TELECOMMUNICATION COMPANIES

Monday, August 22, 2011, at 9:30 a.m.
Betty Easley Conference Center, Room 148
4075 Esplanade Way
Tallahassee Florida 32399-0850

1. Staff will explain the draft rule amendments and solicit comments and/or questions.
2. Any Other Matters for Discussion
3. Discussion of Next Steps in this Rulemaking
4. Adjourn

1 **25-4.0161 Regulatory Assessment Fees; Telecommunications Companies.**

2 (1) For the purposes of this rule and except for pay telephone service providers, all incumbent
3 local exchange companies, shared tenant service providers, alternative access vendors, and
4 competitive local exchange companies that hold an active certificate of public convenience
5 and necessity that was obtained prior to July 1, 2011, and all telecommunications companies
6 that hold an active certificate of authority obtained after July 1, 2011, are defined as local
7 telephone service providers. Companies classified as pay telephone service providers are
8 those companies that hold an active pay telephone certificate of public convenience and
9 necessity that was obtained prior to July 1, 2011, and those companies that hold an active pay
10 telephone certificate of authority obtained after July 1, 2011.

11 (2) (a) ~~(1)~~ For the interim period January 1, 2011 through December 31, 2011, as applicable
12 and as provided in Sections 350.113, 364.02(12) and 364.336, F.S., each company shall remit
13 a fee based upon its gross operating revenue as provided below. Each company that has paid
14 by August 15, 2011, regulatory assessment fees for the period January 1, 2011 through June
15 30, 2011, shall pay a regulatory assessment fee in the amount of x.xxxx of its gross operating
16 revenues derived from intrastate business during the period July 1, 2011 through December
17 31, 2011. Each company that has not paid any regulatory assessment fees for the period
18 January 1, 2011 through December 31, 2011, shall pay a regulatory assessment fee in the
19 amount of x.xxxx of its gross operating revenues derived from intrastate business. The
20 minimum regulatory assessment fees provided in subsection (2) (b) shall apply and shall be
21 filed in accordance with the schedules provided in subsections (3) and (4). For the purpose of
22 determining this fee, each telecommunications company shall deduct from gross operating
23 revenues any amount paid to another telecommunications company for the use of any
24 telecommunications network to provide service to its customers.

25 (b) Effective January 1, 2012, as As applicable and as provided in Sections 350.113,

1 364.02 (12) ~~364.02(13)~~ and 364.336, F.S., each company shall remit a fee based upon its gross
2 operating revenue as provided below. This fee shall be referred to as a regulatory assessment
3 fee, and each company shall pay a regulatory assessment fee in the amount of ~~x.xxxx~~ 0.0020
4 of its gross operating revenues derived from intrastate business. For the purpose of
5 determining this fee, each telecommunications company shall deduct from gross operating
6 revenues any amount paid to another telecommunications company for the use of any
7 telecommunications network to provide service to its customers. Regardless of the gross
8 operating revenue of a company, a minimum annual regulatory assessment fee shall be
9 imposed as follows:

10 1. (a) Local Telephone Service Provider Exchange Company – \$600 ~~\$1,000; and~~

11 2. (b) Pay Telephone Service Provider – \$100;

12 ~~(c) Shared Tenant Service Provider – \$100;~~

13 ~~(d) Interexchange Company – \$700;~~

14 ~~(e) Alternative Access Vendor – \$600;~~

15 ~~(f) Competitive Local Exchange Company – \$600.~~

16 (3) (2) Telecommunications companies that owed gross regulatory assessment fees of \$10,000
17 or more for the preceding calendar year shall pay the fee and remit the appropriate form twice
18 a year. The regulatory assessment fee and appropriate form shall be filed no later than July 30
19 for the preceding period of January 1 through June 30, and no later than January 30 of the
20 following year for the period of July 1 through December 31. Telecommunications companies
21 that owed gross regulatory assessment fees of less than \$10,000 for the preceding calendar
22 year shall pay the fee and remit the appropriate form once a year. The regulatory assessment
23 fee and appropriate form shall be filed no later than January 30 of the subsequent year for the
24 current calendar year operations.

25 (4) (3) If the due date falls on a Saturday, Sunday, or legal holiday, the due date is extended to

1 the next business day. If the fees are sent by registered mail, the date of the registration is the
2 United States Postal Service's postmark date. If the fees are sent by certified mail and the
3 receipt is postmarked by a postal employee, the date on the receipt is the United States Postal
4 Service's postmark date. The postmarked certified mail receipt is evidence that the fees were
5 delivered. Regulatory assessment fees are considered paid on the date they are postmarked by
6 the United States Postal Service or received and logged in by the Commission's Division of
7 Administration Services in Tallahassee. Fees are considered timely paid if properly addressed,
8 with sufficient postage, and postmarked no later than the due date.

9 ~~(5)~~ (4) Commission Form PSC/RAD XX (XX/XX) PSC/RAD 25 (04/07), entitled "Local
10 Telephone Service Provider Exchange Company Regulatory Assessment Fee Return"; Form
11 PSC/RAD XX (XX/XX), entitled "Interim Local Telephone Service Provider Regulatory
12 Assessment Fee Return"; Form PSC/RAD 26 (XX/XX) (04/07), entitled "Pay Telephone
13 Service Provider Regulatory Assessment Fee Return"; and Form PSC/RAD XX(XX/XX)
14 (04/07), entitled "Interim Pay Telephone Service Provider Regulatory Assessment Fee
15 Return"; Form PSC/RAD 34 (04/07), entitled "Shared Tenant Service Provider Regulatory
16 Assessment Fee Return"; Form PSC/RAD 153 (04/07), entitled "Interexchange Company
17 Regulatory Assessment Fee Return"; Form PSC/RAD 1 (04/07), entitled "Alternative Access
18 Vendor Regulatory Assessment Fee Return"; and Form PSC/RAD 7 (04/07), entitled
19 "Competitive Local Exchange Company Regulatory Assessment Fee Return" are incorporated
20 into this rule by reference and may be obtained from the Commission's Division of
21 Administrative Services. The failure of a telecommunications company to receive a return
22 form shall not excuse the company from its obligation to timely remit the regulatory
23 assessment fees.

24 ~~(6)~~ (5) Each telecommunications company shall have up to and including the due date in
25 which to submit the applicable form and:

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

- 1 (a) Remit the total amount of its fee, or
- 2 (b) Remit an amount which the company estimates is its full fee.
- 3 ~~(7)~~ ~~(6)~~ Where the company remits less than its full fee, the remainder of the full fee shall be
- 4 due on or before the 30th day from the due date and shall, where the amount remitted was less
- 5 than 90 percent of the total regulatory assessment fee, include interest as provided by
- 6 subsection (9)(b) ~~paragraph (8)(b)~~ of this rule.
- 7 ~~(8)~~ ~~(7)~~ A company may request ~~from the Division of Administrative Services~~ either a 15-day
- 8 or a 30-day extension of its due date for payment of regulatory assessment fees or for filing its
- 9 return form by submitting to the Division of Administrative Services Commission Form
- 10 PSC/ADM 124 (XX/XX) entitled "Regulatory Assessment Fee Extension Request," which is
- 11 incorporate into this rule by reference and may be obtained from the Commission's Division
- 12 of Administrative Services.
- 13 (a) The request for extension must be received by the Division of Administrative Services at
- 14 least two weeks before the due date. ~~The request for extension must be submitted on Form~~
- 15 ~~PSC/ADM 124 (01/05) and will be granted if the company has applied for the extension~~
- 16 ~~within the time required in paragraph (b) below and the company does not have any unpaid~~
- 17 ~~regulatory assessment fees, penalties or interest due from a prior year. Form PSC/ADM 124~~
- 18 ~~(01/05), entitled "Regulatory Assessment Fee Extension Request" is incorporated into this rule~~
- 19 ~~by reference and may be obtained from the Commission's Division of Administrative~~
- 20 ~~Services.~~
- 21 (b) The request for extension will not be granted if the company has any unpaid regulatory
- 22 assessment fees, penalties, or interest due from a prior period. ~~The request for extension must~~
- 23 ~~be received by the Division of Administrative Services at least two weeks before the due date.~~
- 24 (c) Where a telecommunications company receives an extension of its due date pursuant to
- 25 this rule, the telecommunications company shall remit a charge as set out in Section

1 350.113(5), F.S., in addition to the regulatory assessment fees, ~~as set out in Section~~
2 ~~350.113(5), F.S.~~

3 ~~(d) The return forms may be obtained from the Commission's Division of Administrative~~
4 ~~Services. The failure of a telecommunications company to receive a return form shall not~~
5 ~~excuse the company from its obligation to timely remit the regulatory assessment fees.~~

6 (9) (8) The delinquency of any amount due to the Commission from the telecommunications
7 company pursuant to the provisions of Section 350.113, F.S., and this rule, begins with the
8 first calendar day after any date established as the due date either by operation of this rule or
9 by an extension pursuant to this rule.

10 (a) A penalty, as set out in Section 350.113, F.S., shall apply to any such delinquent amounts.

11 (b) Interest at the rate of 12 percent per annum shall apply to any such delinquent amounts.

12 (10) (9) The Division of Administrative Services shall send by certified mail a regulatory
13 assessment fee delinquency notice to any company that fails to file a regulatory assessment fee
14 return and that fails to pay the regulatory assessment fee by the date specified in subsection (3)
15 (2), unless the company has met the requirements of subsections (7) (6) and (8) (7).

16 (11) (40) If a company fails to pay the regulatory assessment fee within 20 ~~15~~ days after
17 receiving a delinquency notice, the Division of Administrative Services, in cooperation with
18 the Division of Regulatory Analysis and the Office of General Counsel, will establish a docket
19 and administratively issue a Notice of Proposed Agency Action Order Imposing Penalties and
20 Collection Costs, and Requiring Payment of Delinquent Regulatory Assessment Fees, or
21 ~~Cancelling Certificates or Removing From the Register~~ for Violation of Rule 25-4.0161,
22 F.A.C., and Section 364.336, F.S. The company must pay the past due regulatory assessment
23 fees, the penalty and interest for late payment as provided in Section 350.113, F.S., and as
24 stated in subsection (9) (8) above, and must also pay the applicable penalty stated in
25 subsection (12) (41) for failure to file the regulatory assessment fee return.

1 (12) ~~(11)~~ Pursuant to Section 364.285, F.S., the Commission has the authority to impose a
2 penalty or cancel a certificate ~~or registration~~ if a company refuses to comply with Commission
3 rules, orders, or Florida Statutes. The penalty, which will include collection costs, for failure
4 to file the regulatory assessment fee return by the date stated in the delinquency notice shall be
5 as follows:

- 6 (a) First violation – \$500;
7 (b) Second violation – \$1,000;
8 (c) Third violation – \$2,000.

9 Failure of the company to pay the full amount due and stated in the Notice of Proposed
10 Agency Action will result in the cancellation of the company's certificate. ~~Certificate of~~
11 ~~Public Convenience and Necessity, or will result in the cancellation of the company's tariff~~
12 ~~and removal of its name from the Commission's register, whichever is applicable.~~

13 (13) ~~(12)~~ For a company's fourth failure to pay the regulatory assessment fee after being sent a
14 delinquency notice, Commission staff shall file a recommendation to the Commission for
15 further action.

16 (14) ~~(13)~~ A company that reapplies for a Certificate of Authority ~~Public Convenience and~~
17 ~~Necessity, or refiles for registration~~, must pay all prior unpaid regulatory assessment fees, plus
18 the penalty and interest defined in subsection (9) ~~(8)~~, and any prior unpaid penalty assessed in
19 accordance with subsection (11) ~~(10)~~.

20 Rulemaking Authority 350.127(2) FS. Law Implemented 350.113, 364.285, 364.336 FS.

21 History—New 5-18-83, Formerly 25-4.161, Amended 10-19-86, 1-1-91, 12-29-91, 1-8-95, 12-
22 26-95, 7-7-96, 11-11-99, 12-7-04, 10-6-05, 4-16-07, xx-xx-xx.

23
24
25

TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE
Local Telephone Services Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY	
Check #	
\$ _____	06-03-001 003001
\$ _____	E
\$ _____	P 06-03-001 004011
\$ _____	I
Postmark Date	_____
Initials of Preparer	_____

(Name of Company)	(Address)	(City/State)	(Zip)
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LINE NO.		TOTAL FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Local Service Revenues	\$ _____	\$ _____
2.	Network Access Revenues	_____	_____
3.	Long Distance Network Services Revenues	_____	_____
4.	Miscellaneous Revenues	_____	_____
5.	TOTAL REVENUES	\$ _____	\$ _____
6.	LESS: Amounts Paid to Other Telecommunications Companies ⁽¹⁾	_____	_____
7.	NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation (Line 5 less Line 6)	_____	\$ _____
8.	Regulatory Assessment Fee Due (Multiply Line 7 by X.XXXX. If more than \$600, enter amount. If less, enter \$600.) ⁽²⁾	_____	_____
9.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
10.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
11.	Extension Payment Fee (see "4. Extension " on back)	_____	_____
12.	TOTAL AMOUNT DUE (Add lines 8 through 11)	_____	\$ _____

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$600 shall be imposed as provided in Section 364.336, Florida Statutes.

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. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Telecommunications Company)

1. **WHEN TO FILE:** For companies which owed a total of \$10,000 or more of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, and
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of less than \$10,000 of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, when July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee Return may be filed or postmarked on the next business day, without penalty or interest.

2. **FEES:** Each company shall pay X.XXXX of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts.

On Line 6, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 9). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 10). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A company, for good cause shown in a written request, may be granted up to a 30-day extension. A request must be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/ADM 124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 11):

0.75% of the fee to be remitted for an extension of 15 days or less, *or*
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues by checking the "Estimated Return" space in the top left-hand corner on the reverse side. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. Make your check payable to the Florida Public Service Commission. If you are unable to use the enclosed envelope, please address your remittance as follows:

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

ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Regulatory Analysis at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE
Interim Local Telephone Services Provider Regulatory Assessment Fee Return
Used for Calendar Year 2011 Only

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
 Estimated Return
 Amended Return

PERIOD COVERED:

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY	
Check #	_____
\$ _____	06-03-001 003001
\$ _____	E
\$ _____	P 06-03-001 004011
\$ _____	I
Postmark Date	_____
Initials of Preparer	_____

(Name of Company)	(Address)	(City/State)	(Zip)
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LINE NO.		TOTAL FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Local Service Revenues	\$ _____	\$ _____
2.	Network Access Revenues	_____	_____
3.	Long Distance Network Services Revenues	_____	_____
4.	Miscellaneous Revenues	_____	_____
5.	TOTAL REVENUES	\$ _____	\$ _____
6.	LESS: Amounts Paid to Other Telecommunications Companies ⁽¹⁾		_____
7.	NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation (Line 5 less Line 6)		\$ _____
8.	Regulatory Assessment Fee Due (Multiply Line 7 by X.XXXX. If more than \$600, enter amount. If less, enter \$600.) ⁽²⁾		_____
9.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		_____
10.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		_____
11.	Extension Payment Fee (see "4. Extension " on back)		_____
12.	TOTAL AMOUNT DUE (Add lines 8 through 11)		\$ _____

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$600 shall be imposed as provided in Section 364.336, Florida Statutes.

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)
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(Preparer of Form - Please Print Name)	Telephone Number () _____	Fax Number () _____
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F.E.I. No. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Telecommunications Company)

1. **WHEN TO FILE:** For companies which owed a total of \$10,000 or more of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

On or before July 30 for the six-month period January 1 through June 30, **and**
On or before January 30 for the six-month period July 1 through December 31.

For companies which owed a total of less than \$10,000 of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, when July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee Return may be filed or postmarked on the next business day, without penalty or interest.

2. **FEES:** Each company shall pay X.XXXX of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts.

On Line 6, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. **Do not deduct** any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 9). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 10). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A company, for good cause shown in a written request, may be granted up to a 30-day extension. A request must be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/ADM 124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 11):

0.75% of the fee to be remitted for an extension of 15 days or less, or
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues by checking the "Estimated Return" space in the top left-hand corner on the reverse side. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the enclosed envelope, please address your remittance as follows:

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

ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Regulatory Analysis at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE
Pay Telephone Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

STATUS:

- Actual Return
- Estimated Return
- Amended Return

(See Filing Instructions on Back of Form)

«Field2»

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY	
Check #	
\$ _____	06-03-001 003001
\$ _____	E
\$ _____	P 06-03-001 004011
\$ _____	I
Postmark Date	_____
Initials of Preparer	_____

 (Name of Company) (Address) (City/State) (Zip)

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue (Florida)	\$ _____
2.	Gross Intrastate Revenue	_____
3.	Less: Amounts Paid to Other Telecommunications Companies ⁽¹⁾ (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 <u>X.XXXX 0.0020</u>. If more than \$100, enter amount. If less, enter \$100.) ⁽²⁾	_____
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.	Extension Payment Fee (see "4. Extension" on back)	_____
9.	TOTAL AMOUNT DUE (MINIMUM \$100.00 Add lines 5 through 8)	\$ _____
10.	Number of pay telephones in operation at close of period covered by this Return	_____

(1) These amounts must be **intrastate only** and must be verifiable (see "2. Fees" on back).
 (2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$100 shall be imposed as provided in Section 364.336, Florida Statutes.

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. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Pay Telephone Service Provider)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

On or before July 30 for the six-month period January 1 through June 30, **and**
On or before January 30 for the six-month period July 1 through December 31.

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay ~~X.XXXX~~ 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts other than the amount on Line 3.

On Line 3, deduct any amounts paid to another telecommunications company for the use of any telecommunications network (including installation charges) to provide service to its customers. **Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 6). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 7). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A company, for good cause shown in a written request, may be granted up to a 30-day extension. A request ~~for an extension of time up to 30 days may must~~ be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/ADM 124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 8):

0.75% of the fee to be remitted for an extension of 15 days or less, *or*
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a system company may file a return and remit payment based upon estimated gross operating revenues by checking the "Estimated Return" space in the top left-hand corner on the reverse side. If such return is filed by the normal due date, the system company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. ~~An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.~~

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your records, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

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

ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Regulatory Analysis at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

NOTICE OF DEVELOPMENT OF RULEMAKING
 DOCKET NO. 110224-TP
 PAGE 17

TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE «Field1»

Interim Pay Telephone Service Provider Regulatory Assessment Fee Return
Used for Calendar Year 2011 Only

Florida Public Service Commission

STATUS:

- Actual Return
 Estimated Return
 Amended Return

(See Filing Instructions on Back of Form)

«Field2»

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY	
Check #	
\$ _____	06-03-001 003001
\$ _____	E
\$ _____	P 06-03-001 004011
\$ _____	I
Postmark Date	_____
Initials of Preparer	_____

PERIOD COVERED:

«Field3»

 (Name of Company) (Address) (City/State) (Zip)

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue (Florida)	\$ _____
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3.	Less: Amounts Paid to Other Telecommunications Companies ⁽¹⁾ (see "2. Fees" on back)	(_____)
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5.	REGULATORY ASSESSMENT FEE DUE - (Multiply Line 4 by X.XXXX If more than \$100, enter amount. If less, enter \$100.) ⁽²⁾	_____
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.	Extension Payment Fee (see "4. Extension" on back)	_____
9.	TOTAL AMOUNT DUE (Add lines 5 through 8)	\$ _____
10.	Number of pay telephones in operation at close of period covered by this Return	_____

(1) These amounts must be **intrastate only** and must be verifiable (see "2. Fees" on back).

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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. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Pay Telephone Service Provider)

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On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay X.XXXX of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts other than the amount on Line 3.

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0.75% of the fee to be remitted for an extension of 15 days or less, *or*
1.5% of the fee for an extension of 16 to 30 days.

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5. **SEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your records, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

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FLORIDA PUBLIC SERVICE COMMISSION

Template Blank
(Type of Industry)

REGULATORY ASSESSMENT FEE EXTENSION REQUEST

(Utility/Company) (Utility/Co Code) (FEID No.)
Mailing Address: _____

This is to request an extension for filing the Regulatory Assessment Fee Return for the above-named utility/company for the period indicated below:

PERIOD

15 days to _____

30 days to _____

Statement of Good Cause (Reason For Request):

(Signature) (Title)

(Date) (Telephone Number) (FAX Number)

NOTE TO UTILITY/COMPANY

- Your Regulatory Assessment Extension Fee Extension Request form must be filed and received by the Florida Public Service Commission at the address referenced below **BY CLOSE OF BUSINESS ON** before the payment due date of _____. Once your request is received, you will be notified by fax (or by mail when a faxed number is not provided) indicating that your request was approved or denied. **THIS IS NOT AN AUTOMATIC EXTENSION, THEREFORE YOU MUST RECEIVE APPROVAL FROM THE COMMISSION IN ORDER TO RECEIVE AN EXTENSION. See approval criteria on the back of this form.**
- If an extension of **15 days or less is approved**, 0.75% of the fee is to be included when making payment.
- If an extension of **16 to 30 days is approved**, 1.5% of the fee is to be included when making payment.

FOR PUBLIC SERVICE COMMISSION USE ONLY	
Request Approved	<input type="checkbox"/>
Request Denied	<input type="checkbox"/>
<input type="checkbox"/>	The 200__ Regulatory Assessment Fee has not been received.
<input type="checkbox"/>	The 200__ Regulatory Assessment Fee was delinquent. Prior penalty and/or interest has not been received for your 200__ Regulatory Assessment Fee.
<input type="checkbox"/>	The request was received too late for processing.
APPROVED BY:	_____ (Date)
	_____ (Fiscal Services Section Supervisor)

If you have questions, please contact a staff member of the Fiscal Services Section: Template Blank, Template Blank - Template Blank; or write to Division of Administrative Services, Fiscal Services Section, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399.

Criteria for Extension Request

- Form PSC/ADM 124, *Regulatory Assessment Fee Extension Request*, must contain a statement of good cause/reason for extension request. Examples of good cause include reasons such as financial hardship, severe illness, or acts of God; but do not include reasons such as management oversight or vacation time.
- The request for extension must be received by the Division of Administrative Services at least two weeks before the Regulatory Assessment Fee due date.
- The request for extension will not be granted if the utility has any unpaid regulatory assessment fees, penalties, and/or interest due from a prior period(s).