1/136.00

CK#2134

200.00 Cost of Rec. 300.00 Fine FILED 3/12

FILED 3/12/2020
DOCUMENT NO. 01364-2020
FPSC - COMMISSION CLERK

Karen Belcher

From:

Karen Belcher

Sent:

DATE DEPOSITEdnesday, March 11, 2020 1:04 PM

To:

Andrea Mick

Cc:

IAR 1 2 2020 3 4 8 Raquel Revells

Subject:

2020 3 4 8 • RE: RAF Penalty and Collection Amounts

DET #:20190/00

Andrea, we will go ahead and deposit the check from TY060, 382 Networks in the amount of \$1,136.00. We will apply \$600 to RAF for the 2019 period, \$200 for Recovery Fee, \$36 for P&I on the RAF amount and the remaining \$300 to GR for the Fine assessed. Thanks.

From: Andrea Mick <AMICK@psc.state.fl.us>
Sent: Wednesday, March 11, 2020 12:49 PM
To: Karen Belcher <KBelcher@PSC.STATE.FL.US>
Subject: FW: RAF Penalty and Collection Amounts

Karen,

Bill has talked with Legal and Judy, and it has been determined that of the \$500 penalty for non-compliance, the PSC keeps \$200 for cost of collections and the remaining \$300 goes to the general revenue fund. I believe this is in-line with what Toni had been instructing Fiscal to do.

Thanks, Andrea

From: Bill McNulty

Sent: Wednesday, March 11, 2020 10:28 AM **To:** Cissy Galloway; Andrea Mick; Andrew Kunkler

Cc: Judy Harlow

Subject: FW: RAF Penalty and Collection Amounts

FYI

From: Rachael Dziechciarz

Sent: Wednesday, March 11, 2020 9:54 AM

To: Bill McNulty

Subject: RAF Penalty and Collection Amounts

Good morning Bill,

Planning on giving you a call back after your meeting so that we can discuss further, but in the meantime wanted to send over the Rec (from 2005) that we found where we added the penalty costs (\$500/\$1000/\$2000) to the Rule.

In the same Rec we carved out \$200 from those costs for collection fees, which we think resolves the perceived disconnect we were seeing between the Statute (364.285, F.S.) and the Rule (25-4.0161, F.A.C.). As you know, the Statute allows for broad penalties of up to \$25,000 per offense, and notes that *penalties* shall be deposited in the General Revenue Fund. When we amended Rule 25-4.0161, F.A.C. in 2005, we essentially created \$300/\$800/\$1800 *penalty* amounts, and baked-in the \$200 *collection* amount, which can appropriately be allocated to the PSC fund.

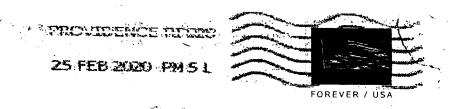
Hope this makes at least somewhat sense, and if you'd like I can always come down and we can chat in person!

Thanks!

Rachael

TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE 1/30/2020 Local Telephone Service Provider Regulatory Assessment Fee Return otal # 1136.00 FOR PSC USE ONLY Florida Public Service Commission STATUS: (See Filing Instructions on Back of Form) TY060-19-T-0-R Actual Return 0.00 06-03-001 **Estimated Return** 382 Networks, Inc. 003001 Amended Return 45 Dan Road, Suite 130 Canton, MA 0202DA 368 P 06-03-001 **DEPOSIT** PERIOD COVERED: 004011 1/1/2019 TO 12/31/2019 FAR 1 22020 3 4 8. Postmark Date 2-25-20 Initials of Preparer Please Complete Below If Official Mailing Address Has Changed (Name of Company) (Address) (City/State) (Zip) TOTAL LINE **FLORIDA GROSS** INTRASTATE NO. **OPERATING REVENUE** REVENUE 1. Local Service Revenues 2. Network Access Revenues 3. Long Distance Network Services Revenues 4. Miscellaneous Revenues **TOTAL REVENUES** 5. 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 0.0016. 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) Extension Payment Fee (see "4. Extension " on back) 11. 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 pariting 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) Telephone Number (a)7 3079/3 2 Fax Number () Skinne ((Preparer of Form - Please Print Name) F.E.I. No.

PSC/TEL 159 (12/11) Rule 25-4.0161, F.A.C. 382 Communications 45 Dand Rd Ste 130 Conton, MA 02021



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

Attn: Fiseal Services

32399-0<u>85</u>099

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