

**REQUEST TO ESTABLISH DOCKET**

(Please Type)

Date: 9/1/2004

Docket No.: 041020-TC

1. Division Name/Staff Name: Division Of Competitive Markets & Enforcement/Isler

2. OPR: Division Of Competitive Markets & Enforcement

3. OCR: Office Of The General Counsel

4. Suggested Docket Title: Compliance investigation of Ron Kain for apparent violation of Rule 25-4.0161, FAC, Regulatory Assessment Fees; Telecommunications Companies.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

A. Provide NAMES OR ACRONYMS ONLY if a regulated company.

B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)

1. Parties and their representatives (if any):


2. Interested persons and their representatives (if any):


6. Check one:

Documentation is attached.

Documentation will be provided with recommendation.

DOCUMENT NUMBER-DATE

09619 SEP-2 3

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
BETH W. SALAK  
DIRECTOR  
(850) 413-6600

## Public Service Commission

May 26, 2004

Mr. Ron Kain (TF368)  
PO Box 110331  
Naples, FL 34108-0106

Dear Mr. Kain:

The Regulatory Assessment Fee (RAF) is due by January 30<sup>th</sup> of each year for the preceding calendar year. For certificate holders, the RAF is owed even if a telecommunications company may not have started operations or had any revenues. Since payment has not been made, statutory penalty and interest charges are now applicable.

Our records show that the 2003 RAF return notice was mailed on December 12, 2003, and a delinquent notice was mailed on February 20, 2004. As of this date, our records do not show receipt of the RAF return or payment. A copy of the 2003 RAF return form is enclosed. Our records also show that you have a small past due balance for late payment of a prior year's fee, which must be paid. A breakdown is enclosed. If full payment, including penalty and interest charges, along with the RAF return form, are not received by June 25, 2004, a docket may be established. Your company may be fined or your certificate cancelled if you do not respond. Please note that once a docket has been established, **just paying the delinquent RAF amount will not prevent your certificate from being cancelled.**

If you wish to cancel your certificate voluntarily and leave in good standing with the Commission, your company should pay the past due amount in full, complete the 2003 RAF return form, either pay the 2004 RAF or provide a date certain it will be paid, and comply with the requirements of Rule 25-24.514, Florida Administrative Code, copy enclosed. Any unpaid RAFs, including penalty and interest charges, are turned over to collections. When returning payment and a copy of the completed 2003 Regulatory Assessment Fee return form, please use the enclosed blue envelope, which will insure prompt processing.

If you have any questions, please contact me at (850) 413-6502, by fax at (850) 413-6503, by e-mail at [pisler@psc.state.fl.us](mailto:pisler@psc.state.fl.us), or by writing to me at the address below.

Sincerely,

A handwritten signature in cursive script that reads "Paula J. Isler".

Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures  
TMS #1314

## Pay Telephone Service Provider Regulatory Assessment Fee Return

STATUS:

- \_\_\_\_\_ Actual Return
- \_\_\_\_\_ Estimated Return
- \_\_\_\_\_ Amended Return

**PERIOD COVERED:**  
01/01/2003 TO 12/31/2003

Florida Public Service Commission

(See Filing Instructions on Back of Form)

TF368-03-0-R  
Ron Kain  
P. O. Box 110331  
Naples, FL 34108-0106

*cc: P. Isler*

Please Complete Below If Official Mailing Address Has Changed

**FOR PSC USE ONLY**

Check# \_\_\_\_\_  
\$ \_\_\_\_\_ 0603002  
003001  
\$ \_\_\_\_\_ P  
0603002  
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* (see "2. Fees" on back)	( _____ )
4.	<b>TOTAL REVENUES for Regulatory Assessment Fee Calculation</b> (Line 2 less Line 3)	\$ _____
5.	Regulatory Assessment Fee Due – (Multiply Line 4 by 0.0015)	_____
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.	<b>TOTAL AMOUNT DUE</b>	<b>\$ _____</b>

AS PROVIDED IN SECTION 364.336 FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50

**THIS FORM MUST BE COMPLETED AND RETURNED REGARDLESS OF THE AMOUNT OF REVENUES REPORTED**

9. Number of pay telephones in operation at close of period covered by this Return \_\_\_\_\_

\* These amounts must be intrastate only and must be verifiable.

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. \_\_\_\_\_

COMPANY IDENTIFICATION

Printed on 04/26/2004 at 10:18:43 by PJI

Complete Name: Ron Kain

Mailing Name: Ron Kain

Company Code: TF368

FEID Number:

RAF ACCOUNT FOR THE PERIOD 01/01/1998 THROUGH 12/31/1998

Reg. Date: 05/18/1995 Inactive Date:   
 Service: PAT - Pay Telephone   
 Received: Actual RAF Form   
 Status: Pending   
 Amended: No Extension: No   
 Frozen: No Comments: No   
 Payment Count: 1 Payment Made to Date   
 Operating Rev: \$0.00 Interstate Rev: \$0.00   
 RAF Rate: 0.0015 Net RAF Due: \$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$2.50	\$0.00	\$2.50
Interest	\$0.50	\$0.00	\$0.50
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$53.00	\$50.00	\$3.00

Last modification was made on Tuesday, December 5, 2000 at 8:42 AM by Jackie Knight

Period covered: 01/01/1998 through 12/31/1998 RAF rate: 0.0015   
 Operating rev: \$0.00 Gross intrastate rev: \$0.00   
 Documents: Actual RAF form received on 02/02/1999   
 RAF form mailed on 11/19/1998   
 Postmarked Trans Date Date Posted-By Dep # Check # Check Amount   
 02/02/1999 02/16/1999 02/26/1999-JIK EH082 2533 \$50.00   
 RAF paid EH082 \$50.00

**COMPANY IDENTIFICATION**

Printed on 04/26/2004 at 10:19:00 by PJI

Complete Name: Ron Kain

Mailing Name: Ron Kain

Company Code: TF368

FEID Number:

**RAF ACCOUNT FOR THE PERIOD 01/01/1999 THROUGH 12/31/1999**

Reg. Date:	05/18/1995	Inactive Date:	
Service:	PAT - Pay Telephone		
Received:	Actual RAF Form		
Status:	Pending		
Amended:	No	Extension:	No
Frozen:	No	Comments:	No
Payment Count:	1 Payment Made to Date		
Operating Rev:	\$19,728.00	Interstate Rev:	\$0.00
RAF Rate:	0.0015	Net RAF Due:	\$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$2.50	\$0.00	\$2.50
Interest	\$0.50	\$0.00	\$0.50
Extension Fee	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$53.00</b>	<b>\$50.00</b>	<b>\$3.00</b>

Last modification was made on Tuesday, December 5, 2000 at 8:42 AM by Jackie Knight

Period covered:	01/01/1999 through 12/31/1999	RAF rate:	0.0015		
Operating rev:	\$19,728.00	Gross intrastate rev:	\$0.00		
Documents:	Delinquent letter mailed on 02/29/2000				
	Actual RAF form received on 02/25/2000				
	RAF form mailed on 12/03/1999				
Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
02/25/2000	03/01/2000	03/01/2000-JIK	FH254	2981	\$50.00
	RAF paid		FH254		\$50.00

**COMPANY IDENTIFICATION**

Printed on 04/26/2004 at 10:19:14 by PJI

Complete Name: Ron Kain

Mailing Name: Ron Kain

Company Code: TF368

FEID Number:

**RAF ACCOUNT FOR THE PERIOD 01/01/2002 THROUGH 12/31/2002**

Reg. Date:	05/18/1995	Inactive Date:	
Service:	PAT - Pay Telephone		
Received:	Actual RAF Form		
Status:	Pending		
Amended:	No	Extension:	No
Frozen:	No	Comments:	No
Payment Count:	1 Payment Made to Date		
Operating Rev:	\$0.00	Interstate Rev:	\$0.00
RAF Rate:	0.0015	Net RAF Due:	\$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$5.00	\$0.00	\$5.00
Interest	\$1.00	\$0.00	\$1.00
Extension Fee	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$56.00</b>	<b>\$50.00</b>	<b>\$6.00</b>

Last modification was made on Wednesday, March 26, 2003 at 3:35 PM by Valorie Moore

Period covered: 01/01/2002 through 12/31/2002      RAF rate: 0.0015  
 Operating rev: \$0.00      Gross intrastate rev: \$0.00  
 Documents: Actual RAF form received on 03/18/2003  
               Remarks: Ck Amt \$100.00 - See TF614  
               Delinquent letter mailed on 02/19/2003  
               RAF form mailed on 12/05/2002

Postmarked	Trans Date	Date Posted-By	Dep #	Check #	Check Amount
03/18/2003	03/26/2003	03/26/2003-VPM	II325	4303	\$100.00
	RAF paid		II325		\$50.00

              Remarks: Ck Amt \$100.00 - See TF614

**25-24.514 Cancellation of a Certificate.**

- (1) The Commission may cancel a company's certificate for any of the following reasons:
- (a) Violation of the terms and conditions under which the authority was originally granted;
  - (b) Violation of Commission rules or orders;
  - (c) Violation of Florida Statutes; or,
  - (d) Failure to provide service for a period of six (6) months.

(2) If a certificated company desires to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following with its request.

- (a) Statement of intent and date to pay Regulatory Assessment Fee.
- (b) Statement of why the certificate is proposed to be cancelled.

(3) Cancellation of a certificate shall be ordered subject to the holder providing the information required by subsection (2).

Specific Authority 350.127(2) FS.

Law Implemented 350.113, 350.127(1), 364.03, 364.285, 364.337, 364.345 FS.

History--New 1-5-87.

CERTIFIED MAIL



7002 0860 0001 1760 5274

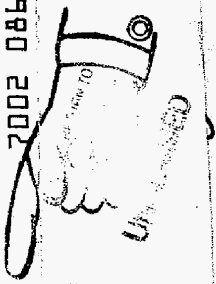
State of Florida  
**Public Service Commission**

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0851

TF 368

M: 10:38

NOIS



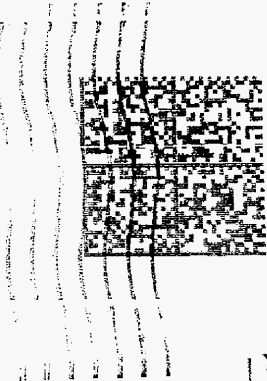
RECEIVED  
MAR 12 2004

NK 224

February 20, 2004

TF368-03-0-D

Ron Kain  
P. O. Box 110331  
Naples, FL 34108-0106



047J82004132  
\$04.420  
02/20/2004  
Mailed From 32399-57  
US POSTAGE  
DIVISION OF  
COMMERCE

34108+0106



STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



OFFICE OF GENERAL COUNSEL  
RICHARD D. MELSON  
(850) 413-6199

## Public Service Commission

February 20, 2004

TF368-03-0-D  
Ron Kain  
P. O. Box 110331  
Naples, FL 34108-0106

Dear Certificate Holder:

The Division of the Commission's Clerk and Administrative Services has forwarded your account to our office to address the nonpayment of the Regulatory Assessment Fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year 2003, which was due January 30, 2004. The RAFs return form was mailed to you on **December 15, 2003**, and to date, Commission records reflect that payment has not been received.

According to Florida Law, you are required to add interest charges at 12% per annum, and a 5% penalty for each 30-day period or fraction thereof, beyond the due date, up to a maximum of 25% in addition to the delinquent amount due. In addition, pursuant to Section 364.285, Florida Statutes, the Commission is authorized to impose upon any entity subject to its jurisdiction a penalty of not more than \$25,000 for each offense, if such entity is found to have refused to comply with or to have willfully violated any lawful rule or order of the Commission, or any provision of Chapter 364.

Utilities are charged with knowledge of our rules and statutes. Moreover, it is general Commission practice that all utilities that apply for **Pay Telephone** certificate receive a copy of all applicable rules. Further, in accordance with Section 364.335, Florida Statutes, as part of the application process, utilities provide an affidavit indicating that they have read and understood the applicable rules.

If you wish to request another form, please contact David Brown or Valorie Moore at the number below. The payment should be identified with the company code and the company's name. Failure to provide payment within 15 days of this notice will result in the establishment of a docket to address your failure to return the RAFs form and pay RAFs in accordance with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. As specified above, pursuant to Section 364.285, Florida Statutes, the Commission may impose a fine or cancel your certificate. Therefore, it is important that you address this matter now.

If you have paid your fees, please provide us with your check number and the date that it was paid.

Should you have any questions concerning this letter please contact **David Brown** at (850) 413-6267 or **Valorie Moore** at 413-6275 or via Internet e-mail at [dbrown@psc.state.fl.us](mailto:dbrown@psc.state.fl.us) or [vmoore@psc.state.fl.us](mailto:vmoore@psc.state.fl.us).

Sincerely,

Handwritten signature of Richard D. Melson.

Richard D. Melson  
General Counsel

KMP  
Enclosure

cc: David Brown, Bureau of Administrative Services/Fiscal Services Section  
Valorie Moore, Bureau of Administrative Services/Fiscal Services Section

COMPANY IDENTIFICATION

Printed on 04/26/2004 at 10:19:25 by PJI

Complete Name: Ron Kain

Mailing Name: Ron Kain

Company Code: TF368

FEID Number:

RAF ACCOUNT FOR THE PERIOD 01/01/2003 THROUGH 12/31/2003

Reg. Date: 05/18/1995 Inactive Date:  
 Service: PAT - Pay Telephone  
 Received: No RAF Form  
 Status: Pending  
 Amended: No Extension: No  
 Frozen: No Comments: No  
 Payment Count: 0 Payments Made to Date  
 Operating Rev: \$0.00 Interstate Rev: \$0.00  
 RAF Rate: Net RAF Due: \$0.00

Assessment	Due	Paid	Owe
RAF	\$0.00	\$0.00	\$0.00
Penalty	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Last modification was made on Wednesday, December 3, 2003 at 9:43 AM by David Brown

Period covered: 01/01/2003 through 12/31/2003 RAF rate:  
 Operating rev: \$0.00 Gross intrastate rev: \$0.00  
 Documents: Delinquent letter mailed on 02/20/2004  
 Delinquent letter mailed on 02/19/2004  
 RAF form mailed on 12/03/2003

## MCD Company Information for TF368

Printed on 09/01/2004 at 08:31:26 by PJI

Company Code:	TF368
Complete Name:	Ron Kain
Mailing Name:	Ron Kain
Certificate No(s):	4166
Status:	Active
Regulation Date:	05/18/1995
Bankruptcy:	No
Company Liaison #1:	Ron Kain
Title:	Owner
Mailing Address:	P. O. Box 110331
Physical Location:	Naples, FL 34108-0106 2239 Imperial Golf Course
Phone:	Naples, FL 34110-1070 (239) 262-8152
Fax:	(239) 262-8184
Related Dockets:	
950291-TC	Application for certificate to provide pay telephone service by Ron Kain.