

Fine Settlements

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida Public Service Commission of IXC Certificate No. 5278 issued to Telstar International, Inc. d/b/a Telstar Long Distance, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 981944-TI
ORDER NO. PSC-99-0654-AS-TI
ISSUED: April 6, 1999

DEPOSIT DATE
D127 of APR 10 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- MAS _____
- OPC _____
- RRR _____
- SEC _____
- WAW _____
- OTH _____

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

Telstar International, Inc. d/b/a Telstar Long Distance, Inc. (Telstar) currently holds Certificate of Public Convenience and Necessity No. 5278, issued by the Commission on December 5, 1997, authorizing the provision of interexchange telecommunications service. The Division of Administration advised our staff by memorandum that Telstar had not paid the 1997 regulatory assessment fees (RAFs), nor statutory penalties and interest charges for late

TELSTAR INTERNATIONAL, INC.

4418 FLOYD ROAD
MABLETON, GA 30128
(770) 941-2334

REGIONS BANK
GEORGIA

3988

PAY TO THE ORDER OF Florida Public Service Commission

4/13/99

\$100.00

One Hundred and 00/100

DOLLARS

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

DOCUMENT NUMBER - DATE

04779 APR 14 99

MEMO

Docket No. 981944-TI

Sherry Myler

Security Features Included. Details on back

*Fine
Settlements*

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ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

Telstar International, Inc. d/b/a Telstar Long Distance, Inc. (Telstar) currently holds Certificate of Public Convenience and Necessity No. 5278, issued by the Commission on December 5, 1997, authorizing the provision of interexchange telecommunications service. The Division of Administration advised our staff by memorandum that Telstar had not paid the 1997 regulatory assessment fees (RAFs), nor statutory penalties and interest charges for late RAFs payments for the year 1997. RAFs are required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code.

Under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 if the certificate was active during any portion of the calendar year. Pursuant to Rule 2 - 4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. All entities that apply for certification receive a copy of our rules governing interexchange telecommunications service and an affidavit in which the applicants

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attest that the rules have been received and understood by the applicant. This affidavit must be attached to the application in order for the application to be processed. The RAF form was mailed to Telstar for the period of January 1, 1997, through December 31, 1997. Our correspondence regarding the RAFs was signed for and delivered to Telstar on January 29, 1998.

After this docket was opened, our staff received a call from Ms. Paula Barker, Director of Operations of Telstar. She stated that the company would pay all the past due charges and would propose a settlement offer. Telstar paid all the past due statutory penalties and interest charges, and submitted a settlement offer. Telstar agreed to pay future regulatory assessment fees in a timely manner and contribute \$100 to the State General Revenue Fund.

We believe that the terms of the settlement agreement represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offer. Telstar must comply with these requirements within five business days from the date this Order becomes final. The contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Upon remittance of the \$100 contribution, this docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Telstar International, Inc. d/b/a Telstar Long Distance Inc.'s settlement proposal summarized in the body of this Order is hereby approved. It is further

ORDERED that this docket shall remain open pending receipt of the \$100 contribution. The contribution will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that upon receipt of the \$100 contribution, this docket shall be closed.

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DOCKET NO. 981944-TI
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By ORDER of the Florida Public Service Commission this 5th day
of April, 1999.

/s/ Blanca S. Bayó
BLANCA S. BAYÓ, Director
Division of Records and Reporting

This is a facsimile copy. A signed
copy of the order may be obtained by
calling 1-850-413-6770.

(S E A L)

KMP

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1) Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.



4419 Floyd Road • Mableton, GA 30126
Toll Free: (800) 959-9964
Telephone: (770) 941-2334 • Fax: (770) 819-1922

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APR 14 AM 11:04
MAIL ROOM

April 13, 1999

Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Dear Sir or Madam:

This letter is in response to Commission order PSC-99-0654-AS-TI, Docket Number 981944-TI which approved the settlement offer of Telstar International, Inc., d/b/a Telstar Long Distance, Inc.

Enclosed please find check number 3988 in the amount of \$100.00 which the commission approved as settlement in lieu of the \$500.00 fine. We sincerely apologize for the omission on our part which brought rise to this hearing, and promise that all future assessment fees will be paid on or before the due date.

Thank you for your generous assistance with this matter. If you have any questions, you may reach me at 770-941-2334, ext. 189.

Sincerely,

Paula Barker
Director of Operations
Telstar International, Inc.

CC: Paula Isler

Enclosures (2)