

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of  
Interexchange Telecommunications  
Certificate No. 3484 issued to  
Telecommunications Service  
Center, Inc. for violation of  
Rule 25-4.0161, F.A.C.,  
Regulatory Assessment Fees;  
Telecommunications Companies.

DOCKET NO. 991513-TI  
ORDER NO. PSC-00-0158-AS-TI  
ISSUED: January 24, 2000

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

Telecommunications Service Center, Inc. (Telecommunications Service Center) currently holds Certificate of Public Convenience and Necessity No. 3484, issued by the Commission on October 26, 1993, authorizing the provision of Interexchange Telecommunications service. The Division of Administration advised our staff by memorandum that Telecommunications Service Center had not paid the 1998 Regulatory Assessment Fees (RAFs). Also, accrued statutory penalties and interest charges for late RAFs payments for the year 1998 had not been paid. RAFs are required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code.

All entities that apply for certification receive a copy of our rules governing Interexchange Telecommunications service. All applicants must attest that these rules have been received and

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ORDER NO. PSC-00-0158-AS-TI  
DOCKET NO. 991513-TI  
PAGE 2

understood by the applicant and an affidavit must be attached to the application in order for the application to be processed.

Pursuant to 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. The RAFs form was mailed to Telecommunications Service Center for the period of January 1, 1998, through December 31, 1998, on December 10, 1998. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. However, pursuant to Section 350.113(4), Florida Statutes, the Commission shall provide at least a 45 days notice of the date the payment is due prior to the due date. Telecommunications Service Center was scheduled to remit its RAFs by February 1, 1999.

On October 13, 1999, Ms. Stacy Acampora, Telecommunications Service Center's representative, contacted our staff and advised that the past due amount would be paid and that Telecommunications Service Center would propose a settlement offer. On December 3, 1999, we received from Telecommunications Service Center the check for the 1998 RAFs, including the majority of the accrued statutory penalties and interest charges, a settlement proposal to contribute \$100 to the State General Revenue Fund and to pay future RAFs in a timely basis, and a check in the amount of \$100 to satisfy the settlement contribution.

On December 8, 1999, our staff contacted Telecommunications Service Center and advised that unless the past due balance was paid in full, they could not recommend acceptance of the settlement offer. We received the balance due of the accrued statutory penalties and interest charges on December 13, 1999.

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. 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.

ORDER NO. PSC-00-0158-AS-TI  
DOCKET NO. 991513-TI  
PAGE 3

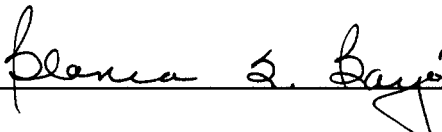
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Telecommunications Service Center, Inc.'s settlement proposal summarized in the body of this Order is hereby approved. It is further

ORDERED that the contribution will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that this docket is closed.

By ORDER of the Florida Public Service Commission this 24th day of January, 2000.



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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( 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.

ORDER NO. PSC-00-0158-AS-TI  
DOCKET NO. 991513-TI  
PAGE 4

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.