## REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

Date November 1, 2000			Docket No. <u>00/655-7C</u>
1. Division Name/Staff	Name <u>Competitive Servic</u>	es/Isler	
2. OPR Competitive Se	ervices/Isler		
3. OCR Legal Services	S		
	<u>, , , , , , , , , , , , , , , , , , , </u>		
4. Suggested Docket Ti	tle <u>Cancellation by Flo</u>	orida Public Service Commis	sion of Pay Telephone Certificate
No. 3756 Issued to Cari	<u>b Comm, L.P. for Violation</u>	n of Rule 25-4.0161, F.A.C	., Regulatory Assessment Fees;
Telecommunications Comp	anies		
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	iling List (attach separat		
as shown in Rule	25-22.104, F.A.C.	s or ACRONYMS ONLY regulate	
		others. ( <u>Match representat</u>	<u>ives to clients.</u> )
1. Parties and t	heir representatives (if a	any)	
James W. Mahan			
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2. Interested Pe	rsons and their represent	atives (if any)	
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6. Check one: XX_ Docu	mentation is attached.		

\_\_\_\_\_ Documentation will be provided with recommendation.

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PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE

14153 NOV-18

FPSC-RECORDS/REPORTING

TF104

## STATE OF FLORIDA

Commissioners: J. TERRY DEASON, CHAIRMAN SUSAN F. CLARK E. LEON JACOBS, JR. LILA A. JABER



DIVISION OF COMPETITIVE SERVICES WALTER D'HAESELEER DIRECTOR (850) 413-6600

## Public Service Commission

July 11, 2000

Carib Comm, Limited Partnership c/o James W. Mahan 12972 SW 133 Court Miami, FL 33186

Dear Mr. Mahan:

On March 30, 2000, the Commission received your letter which responded to the Show Cause Order in Docket No. 000034-TI. Within that letter was a request for cancellation of both your interexchange carrier and pay telephone certificates. This letter responds to your request.

First, there are two types of cancellations. One is a voluntary cancellation, in which the company requests cancellation. The Commission normally grants voluntary cancellations when the company is in good standing and has no outstanding balance of the regulatory assessment fees (RAF), including statutory penalty and interest charges. The other type is involuntary. If a company is <u>not</u> in good standing and has an outstanding balance of the RAF, the Commission normally grants the cancellation on its own motion for a rule violation. The certificate is cancelled and any balance owed is forwarded to the Comptroller's Office for collection.

Second, the regulatory assessment fee is assessed if a certificate is active for any one day during a calendar year. The RAF is due by January 30 of each year, unless the 30th falls on a weekend, then the fee is due by the next working day, for the previous year.

Interexchange Carrier Certificate (TI255)

Order No. PSC-00-0373-SC-TI was issued on February 22, 2000, in Docket No. 000034-TI. Carib was ordered to show cause why it should not be fined \$10,000 or have its interexchange carrier certificate cancelled for not responding to staff and why it should not be fined \$500 for nonpayment of the 1997 RAF balance, plus 1994 and 1995 penalty and interest.

Carib had until March 14, 2000 to respond in writing to the Show Cause Order. Your written response was not received until March 30, 2000. Therefore, your interexchange carrier certificate was cancelled and the \$500 fine assessed.

Carib Comm, Limited Partnership Page 2 July 11, 2000

According to Commission records, Carib owes \$594.64, which consists of the \$9.00 penalty and interest balance for the late payment of the 1994 RAF, \$15.50 penalty and interest balance for the late payment of the 1995 RAF, \$17.14 balance of the 1997 RAF, \$3.00 penalty and interest balance for the late payment of the 1999 RAF, \$50.00 for the 2000 RAF, and the \$500.00 fine.

You had mentioned in your letter that your comptroller had contacted the Commission's Division of Administration and was advised to "disregard" the late notice. Unfortunately, Commission staff does not have the authority to waive penalty and interest charges because the charges are required by Florida Statute. Therefore, even though your comptroller may have been told to disregard a late notice, the penalty and interest charges are still applicable and due.

Pay Telephone Certificate (TF104)

According to our records, Carib owes \$68.50, which consists of a \$15.50 penalty and interest balance for the late payment of the 1995 RAF, \$3.00 penalty and interest balance for the late payment of the 1999 RAF, and the \$50.00 for the 2000 RAF.

Based on the above information, I cannot recommend a voluntary cancellation of your pay telephone certificate unless the past due balance of \$68.50 is paid. Please respond in writing by July 31, 2000 and let me know how you wish to proceed. In the meantime, if you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, and by internet e-mail at pisler@psc.state.fl.us.

Sincerely,

Daula J. Islen

Paula J. Isler, Research Assistant Bureau of Service Quality & Compliance

ORIGINAL

Carib Comm., Inc. C/O James W. Mahan 12972 SW 133 Court Miami, Florida 33186 (305) 254-0262 Office (305) 254-3520 Fax

March 10, 2000

Blanca S. Bayo Director **Division of Records and Reporting** Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

RE: Carib Comm., L.P. TI-255

000034-71

SERVICE OF MERSION

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Dear Ms. Bayo:

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This letter is our response to your letter dated February 22, 2000. Carib Comm ceased to do business in the State of Florida as of September 1999. We contacted Ms. Biegalski on March 8, 2000 and responded to her letter dated August 2, 1999. A copy of our response and our letter has been included for your review. In that letter, the PSC wanted to know if there were any overcharges to our customers with regards to 0+ / 0- calls. Carib Comm never offered operator services to its customers. Also, in that same letter the PSC wanted to know when we would be revising our tariffs. As we mentioned before, Carib Comm ceased to do all and any type of business as of September 1, 1999, therefore, a revision of the tariffs was not necessary.

In reference to the penalty and interest for the year 1994, we have enclosed a copy of a letter dated September 9, 1994 from Mrs. Valorie Moore in which she mentions the delinquency in this account. Our controller for the company, Ms. Terry Remon, contacted Mrs. Moore on September 16, 1994 and Mrs. Moore told Ms. Remon to DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

disregard this notice. We were under the assumption that no money was due on this return. As for penalties and interest for 1995 and 1997, we would like to get the amount due for both returns in order to pay it. We have never received any notice telling us how much we owe on those returns. Your letter from February 22, 1999 was our first and only indication that we owed any money at all.

Since Carib Comm is no longer in business, we would like to request that both certificates be cancelled as of September 1, 1999. The certificates that need to be cancelled are:

Interexchange Companies Regulatory Assessment – TI 255 Pay Telephone Service Provider Regulatory Assessment – TF 104

If you have any further questions, please contact me directly at (305) 254-0262.

Sincerely,

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## RAF ACCOUNT

Printed on 11/01/2000 at 10:34:02 by PJI

Carib Comm, L.P. (TF104)

Period Covered Service: Due Date: Postmark Date: Satisfied:	:01/01/1999-12/31/1999 PAT 01/31/2000 02/01/2000 No	Actual Return: Received RAF Form: Payment Plan: Extension: RAF Rate:	Yes Yes No No 0.0015	Operating Revenue: Interstate Revenue: Net RAF Due: Refund Issued: Fine Paid:	\$0.00 \$0.00 \$50.00 \$0.00 \$0.00
DESCRI	PTION	AMOUNT DUE		AMOUNT PAID	AMOUNT OWED
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
Additional Payr	nent	\$0.00		\$0.00	\$0.00
Total		\$53.00		\$50.00	\$3.00

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RAF 99 CMPNY COMPANY REG CODE NAME DATE	RAF NO MACTIVE PERIOD RAF DATE ENDING FORM	REGULATORY REVENUE ASSESSMENT PAYMENT REPORT. FEE AMOUNT		TTE
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RAF96	CMPNY CODE	COMPANY NAME	REG DATE	INACTIVE DATE	RAF PERIOD ENDING	"X" NO RAF FORM			RAF PAYMENT & COLL FEE PAYMENT AMOUNT	RAF PAYMENT DISCREP	COLL AGENCY FEE			PENALTY DUE 5%30 DAYS 25% MAX	PENALTY	NTEREST DUE INTERI	DATE DATE DELINGNT P&I ST LETTER LETTER MALED MALET
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