

PBUTLER

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\$ 67.50 RAFFS Per RT - am

From: Charlene Poblete [CPOBLETE@PSC.STATE.FL.US]
Sent: Thursday, November 08, 2007 11:36 AM
To: Butler@eot.net
Cc: Victor McKay; Paula Isler
Subject: Docket No. 070528-TI

NOV 26 AM 9:30

COMMISSION CLERK DEPOSIT DATE

789 NOV 26 2007

CHK 1042
200.00 T. Fund
300. Fine
11-21-07
RT

Dear Mr. Butler:

This is a follow-up to the voicemail message left yesterday regarding Docket No. 070528-TI.

As you know, pursuant to Section 364.336, Florida Statutes, licensed telecommunication companies shall pay to the Commission a Regulatory Assessment Fee. This Fee applies to registrations that are active for any single day during a calendar year, whether or not a company has ever started operations. Furthermore, it applies to the same, regardless of a company's improper handling of received certified mail.

Telecommunication companies that fail to pay the Regulatory Assessment Fee, including statutory late payment charges, within 15 days after receiving a delinquent notice, shall be automatically penalized \$500 for a first offense, \$1,000 for a second offense, and \$2,000 for a third offense (amount to include collection costs). If an entity fails to pay the Regulatory Assessment Fee in full, including statutory late payment charges, along with the applicable penalty amount, that entity's IXC tariff and registration shall be cancelled.

The docket referenced above was established on July 26, 2007 due to Empire One Telecommunications, Incorporated's failure to pay the 2006 Regulatory Assessment Fee plus statutory late payment charges. To date, our records continue to show that the fee, including statutory late payment charges, as well as the penalty amount, have not been paid.

If company records show that the 2006 fee, including late payment charges, which was due by January 30, 2007, has not been paid, please pay the total amount no later than November 21, 2007.

If Empire One owes the minimum amount, the fee plus late payment charges will be \$67.50. If Empire One owes more than the minimum, the fee is .0020 of its intrastate revenues, the penalty is 5% of the amount owed, and the interest is 10% of the amount owed. If you need the 2006 Regulatory Assessment Fee return form, which must be completed and returned with full payment, please let me know, and I will have someone e-mail it to you.

Empire One Telecommunications, Incorporated may opt to take any of the following actions:

- (1) Provide the Commission with a copy of its cashed check, thereby proving that the fee was timely paid;
(2) Pay \$567.50, which is the minimum amount of \$67.50 plus the \$500 fine; or
(3) Go forward with a hearing before the Commission, which will be held in Tallahassee, Florida. Please be advised that a hearing will require your presence at both the Prehearing Conference and the Hearing as well as participation in discovery and the filing of testimony.

Please let me know by Wednesday, November 21, 2007, how the company wishes to proceed. Thank you.

Charlene C. Poblete
Attorney, Office of the General Counsel
Florida Public Service Commission
Telephone: (850) 413-6191
E-mail: cpoblete@psc.state.fl.us

SGA
SEC
OTH N.67

DOCUMENT NUMBER-DATE

10504 NOV 26 5

FPSC-COMMISSION CLERK

11/20/2007

Interexchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:
07/13/2006 TO 12/31/2006

(See Filing Instructions on Back of Form)

TK082-06-0-R
 Empire One Telecommunications, Incorporated
 55 Washington Street, 9th Floor
 Brooklyn, NY 11201-1036
 Docket No. 070528-TI

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY

Check # _____
 \$ _____ 06-03-001
 _____ 003001
 \$ _____ E
 \$ _____ P 06-03-001
 _____ 004011
 \$ _____ I
 Postmark Date _____
 Initials of Preparer _____

Empire One Telecom (Name of Company) 55 WASHINGTON ST 9th Floor (Address) Brooklyn NY 11201 (City/State) (Zip)

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Long Distance Services	\$ 0	\$ 0
2.	Access Services	0	0
3.	Private Line Services	0	0
4.	Leased Facilities & Circuits Services	0	0
5.	Miscellaneous Services	0	0
6.	TOTAL Telephone Services	\$ 0	\$ 0
7.	LESS: Amounts Paid to Telecommunications Companies ⁽¹⁾	()	()
8.	TOTAL REVENUES For Regulatory Assessment Fee Calculation		\$ 0
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0020)		1750
10.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		500
11.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		
12.	Extension Payment Fee (see "4. Extension" on back)		
13.	TOTAL AMOUNT DUE (\$50 MINIMUM)		\$ 56750 ⁽²⁾

(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 \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

CURRENT COMPANY STATUS

- Facilities-Based Carrier
- Reseller
- Call Aggregator
- Alternate-Operator Service
- Rebiller
- Other: _____

BILLING INFORMATION

Complete below if billing agent is other than yourself.

(Name) _____ (Address: City/State/Zip) _____ (Telephone) _____
 What is the total amount of customer deposits collected? Amount: \$ 0 for 20 06
 What is the total amount of bond held (if applicable)? Amount: \$ 0 Expires: _____

COMPANY INFORMATION

Do you lease telecommunications' facilities? YES NO
 If YES, who do you lease these facilities from? Name: _____
 Address: _____

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/her duty shall be guilty of a misdemeanor of the second degree.

Paul Butler (Signature of Company Official) COO (Title) 11/26/07 (Date)
Paul Butler (Preparer of Form - Please Print Name) Telephone Number 718 801 8111 Fax Number 718 797 0001

PSC/CMP 153 (Rev. 01/05) **10504 NOV 26 5**

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FPSC-COMMISSION CLERK

FLORIDA PUBLIC SERVICE COMMISSION

Instructions For Filing Regulatory Assessment Fee Return (Interexchange Company)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment is required twice a year and payment must be filed or postmarked:

On or before July 30 for the six-month period January 1 through June 30, **and**
On or before January 30 for the six-month period July 1 through December 31.

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts other than the amount in Line 7.

On Line 7, deduct any amounts paid to a telecommunications company for the use of any telecommunications network to provide service to its customers. ***Do not deduct*** any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 10). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 11). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or remove the company from the list of companies registered to provide service. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA 124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 12):

0.75% of the fee to be remitted for an extension of 15 days or less, *or*
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

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

ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

Call 1-800-PICK-UPS® (1-800-742-5877) or visit UPS.com®.

- For UPS Next Day Air services, there is no weight limit for correspondence, urgent documents and other items. Air service is selected above are subject to the following restrictions:
- For UPS Worldwide documents of no more than 100 pages you can enclose up to 10 pages of pages you can enclose.
- Do not use UPS 2nd Day Air envelope. For UPS 2nd Day Air or more are subject to the following restrictions:
- Do not send cash or valuables.

Window Envelope

Use this envelope with standard inkjet printer on plain paper.

https://www.ups.com/uis/create?ActionOriginPair=print___PrinterPage

1 OF 1

LTR

PAUL BUTLER
718-260-0800 111
EMPIRE ONE TELECOM
55 WASHINGTON STREET
BROOKLYN NY 11201

SHIP TO:
FISCAL SERVICES
850-413-6600
FLORIDA PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE FL 32399-7019

FL 323 0-01

UPS NEXT DAY AIR 1

TRACKING #: 1Z R74 R74 01 9864 7637





International Shipping Notice — Carriage hereunder may be subject to the rules relating to liability and other terms and/or conditions established by the Convention for the Unification of Certain Rules Relating to the Carriage of Goods by Road (the "CMR Convention"). These commodities, technology or software were exported from the U.S. in accordance with the Export Administration Regulations.

This envelope is for use with the following services: