

State of Florida



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Public Service Commission

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STATE CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

COMMISSION
CLERK

-M-E-M-O-R-A-N-D-U-M-

DATE: September 30, 2008
TO: Apryl Lynn, Director, Division of Administrative Services
FROM: Timisha Brooks, Attorney, Office of the General Counsel
RE: Request for Permission from Department of Financial Services to Write-Off the Penalty Imposed on NCOM Networks, LLC in Docket No. 070711-TI/080162-TI - Compliance investigation of NCOM Networks, LLC for apparent violation of Rule 25-24.470, F.A.C. and Section 364.285, Florida Statutes

On December 14, 2007, Docket No. 070711-TI, was established to address NCOM Networks, LLC's (NCOM) failure to register as an IXC and to file a tariff, pursuant to Rule 25-24.470, Florida Administrative Code (F.A.C.).

By Order No. PSC-08-0082-PAA-TI, issued February 12, 2008, the Commission imposed a penalty against NCOM in the amount of \$25,000 for its apparent violation of Rule 25-24.470, F.A.C.

By Order No. PSC-08-0294-PAA-TI, issued May 5, 2008, in Docket No. 080162-TI, the Commission accepted NCOM's proposed settlement offer to make a voluntary contribution in the amount of \$12,500 to resolve the apparent violation of Rule 25-24.470, F.A.C. However, NCOM has failed to remit the voluntary contribution approved by Order No. PSC-08-0294-PAA-TI.

If NCOM failed to remit its voluntary contribution, the Commission ordered that NCOM shall cease and desist providing intrastate interexchange telecommunications service in Florida. The Commission further ordered that the outstanding penalty of \$25,000 be sent to the Department of Financial Services for collection, and that the Division of Administrative Services shall request permission to write-off the uncollectible amount.

Therefore, staff requests that the Division of Administrative Services/Fiscal Services Section take the appropriate steps to seek permission from the Department of Financial Services to write-off the uncollectible penalty for NCOM.

TJB/

cc: David Brown
Kiwanis Curry

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

**STATE OF FLORIDA
DEPARTMENT OF FINANCIAL SERVICES
BUREAU OF ACCOUNTING
DELINQUENT ACCOUNTS RECEIVABLE TRANSMITTAL
(PLEASE PRINT OR TYPE)**

AGENCY FLORIDA PUBLIC SERVICE COMMISSION DATE September 30, 2008 PAGE 1 OF 1
CONTACT KAREN BELCHER, DIRECTOR, FISCAL SERVICES

PHONE NUMBER 850-413-6273

FLAIR ACCOUNT CODE SAMAS ACCOUNT CODES: 61 50 2 573003 610100 00 000300
61 74 1 000331 610100 00 001200

1. Docket Nos. 070711-TI/080162-TI NCOM Networks, LLC Company Code TK196

Agency Reference #	Last Name	First	M	Social Security #	DFS use only
<u>5751 Miami Lakes Drive, Miami Lakes, Florida 33014</u>					
Last Known Address (Include Zip)					
<u>Unknown</u>	<u>305-929-0251</u>			<u>\$25,000</u>	<u>\$25,000</u>
Home Telephone Work Phone		Principal Amount		Penalty/Interest Amount	Total
<u>Section 364.285, Florida Statutes</u>		<u>March 10, 2008</u>		<u>8</u>	
Penalty/Interest Authority		Date Debt Incurred		Debt Type	
<u>Fine assessed by the Commission for the company's violation of Rule 25-24.470, Florida Administrative Code</u>					
Debt Description, e.g., Drivers License, Property Damage					
<u>Company representative: Liza Gutierrez (liza.gutierrez@xchangecommunications.com)</u>					
Additional Information, e.g., Date of Birth, Drivers License Number, etc					

2.

Agency Reference #	Last Name	First	M	Social Security #	DFS use only
Last Known Address (Include Zip)					
Home Telephone Work Phone		Principal Amount		Penalty/Interest Amount	Total
Penalty/Interest Authority		Date Debt Incurred		Debt Type	
Debt Description, e.g., Drivers License, Property Damage					
Additional Information, e.g., Date of Birth, Drivers License Number, etc					

3.

Agency Reference #	Last Name	First	M	Social Security #	DFS use only
Last Known Address (Include Zip)					
Home Telephone Work Phone		Principal Amount		Penalty/Interest Amount	Total
Penalty/Interest Authority		Date Debt Incurred		Debt Type	
Debt Description, e.g., Drivers License, Property Damage					
Additional Information, e.g., Date of Birth, Drivers License Number, etc					

****DEBIT TYPE CODE****

1. RETURNED CHECK 2. NONPAYMENT FOR STATE GOODS/SERVICES 3. DAMAGE TO STATE PROPERTY
7. COURT ORDER 8. FINES 9. OVERPAYMENT OF STATE FUNDS