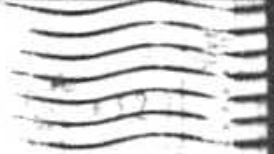


State of Florida
Public Service Commission

2540 Shumard Oak Boulevard
 Tallahassee, Florida 32399-0850

NAME MAY 15 1999
 1st Notice
 2nd 22 MAY 1999
 Return



30 MAY 1999

RPM Communications, Inc.
 Milton Gonzalez
 931 N.E. 83rd Street
 Miami FL 33138-4159

CERTIFIED MAIL
 Return Receipt Requested
 No. 99-104

33138-4159 02

DOCUMENT NUMBER - DATE

07999 JUL -18

FPSC-RECORDS/REPORTING

is your RETURN ADDRESS completed on the reverse side?

SENDER:

- *Complete items 1 and/or 2 for additional services.
- *Complete items 3, 4a, and 4b.
- *Print your name and address on the reverse of this form so that we can return this card to you.
- *Attach this form to the front of the mailpiece, or on the back if space does not permit.
- *Write "Return Receipt Requested" on the mailpiece below the article number.
- *The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: 481516

4a. Article Number 99-184

RPM Communications, Inc.
 Milton Gonzalez
 931 N.E. 83rd Street
 Miami FL 33138-4159

- Certified
- Insured
- COD

(Only if requested)

6. Signature: (Addressee or Agent)
X

Thank you for using Return Receipt Services.

AFA
 APP
 CAF
 CMU
 CTR
 EAG
 LEG
 MAS
 OPC
 PRR
 REC
 WAW
 OTH

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida
Public Service Commission of Pay
Telephone Certificate No. 4614
issued to RPM Communications,
Inc. for violation of Rule 25-
4.0161, F.A.C., Regulatory
Assessment Fees;
Telecommunications Companies.

DOCKET NO. 981516-TC
ORDER NO. PSC-99-0905-PAA-TC
ISSUED: May 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.

NOTICE OF PROPOSED AGENCY ACTION
ORDER CANCELING PAY TELEPHONE CERTIFICATE INVOLUNTARILY

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service
Commission that the action discussed herein is preliminary in
nature and will become final unless a person whose interests are
substantially affected files a petition for formal proceeding
pursuant to Rule 25-22.029, Florida Administrative Code.

RPM Communications, Inc. (RPM) currently holds Certificate of
Public Convenience and Necessity No. 4614, issued by the Commission
on June 1, 1996, authorizing the provision of Pay Telephone
service. RPM has not paid the regulatory assessment fees (RAF)
required by Section 364.336, Florida Statutes, and Rule 25-4.0161,
Florida Administrative Code, for the years 1996 and 1997. Also,
accrued statutory penalties and interest charges for the years 1996
and 1997 have not been paid. 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. Pursuant to Rule 25-4.0161 (2), Florida Administrative Code,
the form and applicable fees are due to the Florida Public Service

DOCUMENT NUMBER-DATE
05857 MAY 10 1999
FPSC-RECORDS/REPORTING

Commission by January 30 of the subsequent year. All entities that apply for certification receive a copy of our rules governing Pay Telephone service. All applicants must attest that these rules have been received and understood by the applicant and an affidavit must be attached to the application in order for the application to be processed.

Pursuant to Section 350.113(4), Florida Statutes, the RAFs forms for the period of January 1 through December 31, are mailed to entities at least 45 days prior to the date that payment of the fees is due. RPM has been given adequate opportunity to pay. The Commission's correspondence regarding the RAFs was returned unopened to us by the United States Postal Service stamped "return to sender" and "unclaimed."

On January 29, 1999, Order No. PSC-99-0171-FOF-TC was issued, imposing a \$500 fine and requiring payment of the fine and past due RAFs, along with statutory penalties and interest charges accrued, by February 26, 1999. The Division of Administration notified our staff that RPM's 1998 RAFS form was returned by RPM with a statement that it had previously requested voluntary cancellation of its certificate. Our staff wrote to RPM and explained that the Commission had no record of receiving its previous letter and requested a copy of same by March 23, 1999. As of the date of this vote, our staff has not received a copy of the letter.

RPM has not complied with Rule 25-24.514(2), Florida Administrative Code, which states:

(2) If a certificated company desires to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following with its request:

(a) Statement of intent and date to pay Regulatory Assessment Fee.

(b) Statement of why the certificate is proposed to be cancelled.

Accordingly, since the company's certificate remains active until it requests a voluntary cancellation pursuant to Rule 25-24.514(2), Florida Administrative Code, or we involuntarily cancel the certificate, RPM is responsible for the RAFS. As of the date

ORDER NO. PSC-99-0905-PAA-TC
DOCKET NO. 981516-TC
PAGE 3

of this vote, RPM continues to be in violation of our rules for non-payment of RAFS for 1996, 1997, and 1998.

For the reasons described above, pursuant to Rule 25-24.514(1)(b) and (c), Florida Administrative Code, we deny RPM's request for voluntary cancellation of Pay Telephone Certificate No. 4614 for failure to comply with the provisions of Rule 25-24.514(2), Florida Administrative Code. However, we find it appropriate to involuntarily cancel RPM's certificate, effective December 31, 1998, for failure to pay RAFS pursuant to Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. Since RPM is no longer in business, there would be no purpose in requiring RPM to pay a fine. By involuntarily canceling RPM's certificate, however, we would be able to track this company should it apply for another certificate with us in the future. The cancellation of the certificate and the closing of the Docket in no way diminishes RPM's obligation to pay applicable delinquent RAFS, statutory penalties, and interest charges for 1996, 1997, and 1998.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby deny RPM Communications, Inc.'s request for voluntary cancellation of Pay Telephone Certificate No. 4614. It is further

ORDERED that pursuant to Rule 25-24.514(1)(b) and (c), Florida Administrative Code, we hereby cancel RPM Communications, Inc.'s Pay Telephone Certificate No. 4614, effective December 31, 1998, for failure to comply with Rule 25-24.514(2), Florida Administrative Code; Section 364.336, Florida Statutes; and Rule 25-4.0161, Florida Administrative Code. It is further

ORDERED that RPM Communications, Inc. remains obligated for all due and owing regulatory assessment fees for the year(s) 1996, 1997, and 1998, as well as accrued statutory penalties and interest charges. It is further

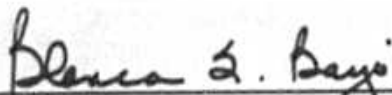
ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth

ORDER NO. PSC-99-0905-PAA-TC
DOCKET NO. 981516-TC
PAGE 4

in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 10th day of May, 1999.



BLANCA S. BAYO, 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on May 31, 1999.

ORDER NO. PSC-99-0905-PAA-TC
DOCKET NO. 981516-TC
PAGE 5

In the absence of such a petition, this Order shall become final the day a consummation order is issued.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water 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 of the effective date 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.

Pay Telephone Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

Actual Return
 Estimated Return

TF680
 RPM Communications, Inc.
 931 N.E. 33rd Street
 Miami, FL 33138-4159

PERIOD COVERED:
 06/01/1996 TO 12/31/1996

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY	
Check#	_____
\$	0603002
	003001
\$	P
	0603002
	004011
\$	I
Postmark Date	_____
Initials of Preparer	_____

(Name of Company)

(Address)

(City/State)

(Zip)

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue	\$ _____
2.	Gross Intrastate Revenue	_____
3.	LESS: Amounts Paid for Services to Local Telephone Companies (Attach Listing)*	(_____)
4.	TOTAL REVENUES for Regulatory Assessment Fee Calculation (Line 2 less Line 3)	\$ _____
5.	Regulatory Assessment Fee Due — (Multiply Line 4 by 0.0015)	_____
6.	Penalty for Late Payment	_____
7.	Interest for Late Payment	_____
8.	TOTAL AMOUNT DUE	\$ _____

AS PROVIDED IN SECTION 364.336 FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50

THIS FORM MUST BE COMPLETED AND RETURNED REGARDLESS OF THE AMOUNT OF REVENUES REPORTED

9. Number of pay telephones in operation at close of period covered by this Return _____

*Each amount paid by a pay telephone company to a telecommunications company providing local service for use of the local network shall be deducted from intrastate revenue for purposes of determining the amount of the regulatory fee assessed the pay telephone company.

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 official duty shall be guilty of a misdemeanor of the second degree.

(Signature of Company Official)

(Title)

(Date)

(Please Print Name)

Telephone Number (_____) Fax Number (_____)

F.E.I. No. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Pay Telephone Service Provider)

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 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 prior 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 0.0015 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 on Line 3.
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 6). 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 7). 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 file a Regulatory Assessment Fee Return, the Commission may order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A company, for good cause shown in a written request, may be granted an extension up to 30 days. A request should be made by filing the enclosed *Request for Extension to File Regulatory Assessment Fee Return* form (PSC/ADM-124), two weeks prior to the filing date. If an extension is granted, a charge shall be added to the amount due:

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 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 records, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. 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 Service

7. **ADDITIONAL ASSISTANCE:** If you need additional information or assistance in preparing your Regulatory Assessment Fee Return, please contact the Division of Auditing and Financial Analysis at (850) 413-6480.

For assistance with Item 9, please contact the Division of Communications at (850) 413-6556.

Both divisions may be contacted at the above-referenced address, directing correspondence to the attention of the division.

Pay Telephone Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

_____ Actual Return
 _____ Estimated Return

TF680
 RPM Communications, Inc.
 931 N.E. 83rd Street
 Miami, FL 33138-4159

PERIOD COVERED:
 01/01/1997 TO 12/31/1997

FOR PSC USE ONLY	
Check# _____	
\$ _____	0603002
	003001
\$ _____	P
	0603002
	004011
\$ _____	1
Postmark Date _____	
Initials of Preparer _____	

Please Complete Below If Official Mailing Address Has Changed

 (Name of Company) (Address) (City/State) (Zip)

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue	\$ _____
2.	Gross Intrastate Revenue	_____
3.	LESS: Amounts Paid for Services to Local Telephone Companies (Attach Listing)*	(_____)
4.	TOTAL REVENUES for Regulatory Assessment Fee Calculation (Line 2 less Line 3)	\$ _____
5.	Regulatory Assessment Fee Due — (Multiply Line 4 by 0.0015)	_____
6.	Penalty for Late Payment	_____
7.	Interest for Late Payment	_____
8.	TOTAL AMOUNT DUE	\$ _____

AS PROVIDED IN SECTION 364.336 FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50
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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 official duty shall be guilty of a misdemeanor of the second degree.

 (Signature of Company Official) (Title) (Date)

 (Please Print Name)

Telephone Number (_____) Fax Number (_____)

F.E.I. No. _____

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(Pay Telephone Service Provider)

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Pay Telephone Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

Actual Return
 Estimated Return

TF680
 RPM Communications, Inc.
 931 N.E. 83rd Street
 Miami, FL 33138-4159

PERIOD COVERED:
01/01/1998 TO 12/31/1998

FOR PSC USE ONLY

Check# _____
 \$ _____ 0603002
 _____ 003001
 \$ _____ P
 _____ 0603002
 _____ 004011
 \$ _____ I
 Postmark Date _____
 Initials of Preparer _____

Please Complete Below if Official Mailing Address Has Changed

(Name of Company)

(Address)

(City/State)

(Zip)

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue	\$ _____
2.	Gross Intrastate Revenue	_____
3.	LESS: Amounts Paid for Services to Local Telephone Companies (Attach Listing)*	(_____)
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(Signature of Company Official)

(Title)

(Date)

(Please Print Name)

Telephone Number (_____) Fax Number (_____)

F.E.I. No. _____

FLORIDA PUBLIC SERVICE COMMISSION
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(Pay Telephone Service Provider)

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

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