

State of Florida



# Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

RECORDS AND REPORTING

99 DEC - 9 AM 10:06

RECEIVED-FPSC

**DATE:** DECEMBER 9, 1999

**TO:** DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAY)

**FROM:** DIVISION OF TELECOMMUNICATIONS (ISLER) *Pip MD*  
DIVISION OF LEGAL SERVICES (K. PEÑA; B. KEATING) *KMP*

**RE:** DOCKET NO. 991050-TC - CANCELLATION BY FLORIDA PUBLIC SERVICE COMMISSION OF PAY TELEPHONE CERTIFICATE NO. 4222 ISSUED TO PRINTEMPS, INC. FOR VIOLATION OF RULE 25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS COMPANIES, AND 25-24.520, F.A.C., REPORTING REQUIREMENTS.

**AGENDA:** 12/21/99 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMU\WP\991050.RCM

**CASE BACKGROUND**

- **08/08/95** - This company obtained PATS Certificate No. 4222.
- **12/10/98** - The 1998 Regulatory Assessment Fee (RAF) Notice was mailed. Payment was due 02/01/99.
- **03/17/99** - The Division of Administration mailed a delinquent letter for the 1998 RAF.
- **09/21/99** - Order No. PSC-99-1869-PAA-TC was issued, which imposed a \$1,000 fine or canceled the company's certificate. The company had until October 12, 1999, to file a protest.

DOCUMENT NUMBER-DATE

**15035 DEC-99**

FPSC RECORDS/REPORTING

DOCKET NO. 991050  
DATE: DECEMBER 9, 1999

- **10/04/99** - The company responded to the Order, provided its updated reporting requirements and requested voluntary cancellation of its certificate without a fine.
- **10/25/99** - Staff wrote the company and explained that the past due regulatory assessment fee, including penalty and interest charges would have to be paid in full before a voluntary cancellation could be recommended.
- **11/02/99** - The Commission received the company's check for the past due 1998 fee, including statutory penalty and interest charges, and a portion of the 1999 fee, along with its letter which requested voluntary cancellation of its certificate. The company reported no revenues on its 1998 return.

Staff believes the following recommendations are appropriate.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should the Commission grant Printemps, Inc. a voluntary cancellation of its Pay Telephone Certificate No. 4222?

**RECOMMENDATION:** Yes. The Commission should grant the company a voluntary cancellation of its pay telephone certificate with an effective date of October 4, 1999. (Isler)

**STAFF ANALYSIS:** Rule 25-4.0161, Florida Administrative Code, requires the payment of regulatory assessment fees by January 30 of the subsequent year for telecommunications companies, and provides for penalties and interest as outlined in Section 350.113, Florida Statutes, for any delinquent amounts.

On September 21, 1999, Order No. PSC-99-1869-PAA-TC was issued, which imposed a \$1,000 fine or canceled the company's certificate. The company had until October 12 to protest the Order and until October 19 to pay the fees and fine. On October 4, the Commission received a letter from the company requesting voluntary cancellation of its certificate. The Commission subsequently received the company's payment for all outstanding regulatory assessment fees, including statutory penalty and interest charges.

Accordingly, staff believes the company's request for a voluntary cancellation of its pay telephone certificate should be granted with an effective date of October 4, 1999.

**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** Yes, if the Commission approves staff's recommendation in Issue 1, this docket should be closed. (K. Peña; B. Keating)

**STAFF ANALYSIS:** If the Commission approves staff's recommendation in Issue 1, no other issues remain unresolved and this docket should be closed.