

ORIGINAL

STATE OF FLORIDA

Commissioners:
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LILA A. JABER



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

Public Service Commission

June 9, 2000

Mr. Peter Bucchieri
Easy Phone, Inc. d/b/a Easy Tel, Inc.
8625 West Sahara Avenue
Las Vegas, NV 89117

RE: Docket No. 992038-TX
Docket No. 992039-TI

Dear Mr. Bucchieri:

As you are aware, the above dockets were opened after the Commission received a letter from Ms. Lorinda Bucchieri, who requested cancellation of both the IXC and ALEC certificates. The Commission does not grant voluntary cancellations to companies that are not in good standing, such as having an outstanding balance on the regulatory assessment fee (RAF), including statutory penalty and interest charges. You and Ms. Bucchieri indicated that the company wishes to keep its ALEC certificate active, but not the IXC certificate. However, in order for me to recommend that the ALEC certificate be kept active, Easy Phone needs to bring both certificates into compliance with the Commission's rules dealing with regulatory assessment fees.

Docket No. 992038-TX

Docket No. 992038-TX deals with ALEC Certificate No. 4769, which became active January 8, 1997. Easy Phone paid the 1997 regulatory assessment fee, but has not paid the 1998 and 1999 fees, including statutory penalty and interest charges. Enclosed are the forms for both years.

In addition to paying the past due amount, Easy Phone needs to make a settlement offer. In other similar cases dealing with this rule violation, the Commission has accepted a \$100 settlement in lieu of the \$500 fine normally imposed. The settlement letter needs to include the following:

- Docket number;
- Enclose the RAF returns and a check for the past due amount in full;

APP _____
 CAF _____
 CMAP _____
 COM _____
 CTR _____
 FOR _____
 LEG _____
 OPC _____
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DOCUMENT NUMBER: 992038-TX

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- Statement that it has taken steps to prevent future late payments of the regulatory assessment fees; and
- Make a specific monetary settlement.

Any settlement offer should be addressed to Ms. Blanca Bayó, Director, Division of Records and Reporting, Florida Public Service Commission, at the above address. The proposed settlement amount should not be paid at this time. It will become due after the Commissioners vote on this issue.

Docket No. 992039-TI

Although you apparently want IXC Certificate No. 4773 canceled, I cannot recommend acceptance of any settlement offer for the ALEC certificate when the IXC certificate also has outstanding balances. This certificate became active February 18, 1997. The company paid the 1997 fee, but our records do not show receipt of the 1998 and 1999 fees, including statutory penalty and interest charges. In addition, Easy Phone either needs to go ahead and pay the 2000 fee or provide us with a date certain that it will be paid. The fee is applicable if a certificate is active for any day during a calendar year. The 2000 fee is due by January 30, 2001. The RAF forms for all three years are enclosed. Please complete the forms and return them with your payment for the full amount. In addition, you will need to request voluntary cancellation of IXC Certificate No. 4773. You may combine this with the settlement offer in Docket No. 992038-TX; however, please make sure your letter references both dockets.

Please respond in writing by June 23, 2000. 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,



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

Enclosures

cc: Docket No. 992038-TX
Docket No. 992039-TI
Division of Legal Services (K. Peña)