

EVERCOM

ORIGINAL

R+R

September 21, 2000

Ms. Blanca Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: Docket No. 00-1023-TC

Dear Ms. Bayó,

I am responding to the above referenced docket that pertains to Evercom Systems, Inc. filing of the Regulatory Assessment Fee Return for year 1999. On September 20, 2000, my office received the report to be submitted by pay telephone service providers. Unfortunately, we previously did not receive this report earlier in the year, which would have allowed timely filing. In addition, we did not receive any additional notification that stated such a report was due prior to the proposed certificate revocation.

Due to our prompt response in filing and paying the assessment fee, our proposal to settle this matter is as follows. We request that no additional penalty be levied against Evercom Systems. In addition, we request that the penalty of \$1,412.74 also be waived. Although we have paid the \$7,514.33 in full, I would request that the above penalty that was paid be credited to future regulatory assessments due.

Our filing and payment history has been superior except for this single indiscretion. If we had been made aware of the necessary filing and payment previous to this revocation, we would have filed as soon as we were put on notice. We have implemented a program which alerts our staff to the required annual reports and their respective due dates.

Please consider our proposed settlement. We will work with you as much as possible to reach a mutually beneficial agreement. I can be reached at 972-953-4123 if discussions are necessary.

Sincerely,

APP	_____
CAF	_____
CMP	<u>1</u> _____
COM	_____
CTR	_____
ECR	_____
LEG	<u>Banks</u> _____
OFC	_____
PA	_____
RGO	_____
SEC	<u>1</u> _____
SER	_____
OTH	<u>orig to Hong</u>

Done 9/27/00

8201 Tristar Drive, Irving, TX 75063

972.988.3737
DIRECT

972.988.3774
FACSIMILE

DOCUMENT NUMBER-DATE

12078 SEP 25 8

FPSC-RECORDS/REPORTING

TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE 11/31/2000

Pay Telephone Service Provider Regulatory Assessment Fee Return

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:

01/01/99 TO 12/31/99

Florida Public Service Commission
(See Filing Instructions on Back of Form)

TG225
 Evercom Systems, Inc.
 8201 Tristar Drive
 Irving, TX 75063-2824
 DEPOSIT
 D 3 6 6
 DATE
 SEP 2 6 2000

FOR PSC USE ONLY
 Check# 047359
 \$ 5649.87 0603002
 \$ 1412.97 003001
 \$ 451.99 0603002
 004011
 Postmark Date 9/21/00
 Initials of Preparer MC

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 (Florida)	\$ 4,654,693.
2.	Gross Intrastate Revenue	3,766,579.
3.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	0.
4.	TOTAL REVENUES for Regulatory Assessment Fee Calculation (Line 2 less Line 3)	\$ 3,766,579.
5.	Regulatory Assessment Fee Due - (Multiply Line 4 by 0.0015)	5,649.87
6.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	1,412.47.
7.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	451.99
8.	TOTAL AMOUNT DUE	\$ 7,514.33

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

047359

EVERCOM
 8201 TRISTAR DRIVE
 IRVING, TEXAS 75063
 (972) 988-3737

THE FIRST NATIONAL BANK
 PRYOR, OKLAHOMA 74362
 86-262-1031

Seven Thousand Five Hundred Fourteen Dollars And 33 Cents

PAY TO THE ORDER OF FLORIDA PUBLIC SERVICE COMM.

DATE	AMOUNT
9/21/2000	\$7,514.33

AUTHORIZED SIGNATURE
Sarah Proctor
 AUTHORIZED SIGNATURE

⑈047359⑈

Security Features: Details on back

STATE OF FLORIDA

Commissioners:
J. TERRY DEASON, CHAIRMAN
E. LEON JACOBS, JR.
LILA A. JABER
BRAULIO L. BAEZ



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

Public Service Commission

September 20, 2000

Ms. Amy Sudduth
Evercom Systems, Inc.
8201 Tristar Drive
Irving, TX 75063-2824

Re: Docket No. 001023-TC

Dear Ms. Sudduth:

This is a follow up to our telephone conversation concerning the above docket. The regulatory assessment fee (RAF) is due each year by January 30 for the previous year, unless the 30th falls on a weekend, then the due date is the next working day. For example, the 1999 fee was due January 31, 2000.

Commission records show that as of this date, the 1999 RAF has not been paid. The 1999 RAF return is attached. Please complete and return it along with your check for the past due amount in full. The RAF is .0015% of your total Florida gross revenues, or \$50.00, whichever is greater. However, if you owe only the minimum amount and if your check is postmarked by September 30, 2000, the 1999 total is \$66.50 (\$50.00 fee, \$12.50 penalty, and \$4.00 interest).

To resolve this docket, your company has three options.

- (1) Cancel the certificate voluntarily - Pay all past due charges in full, pay the current year's RAF or provide a date certain that it will be paid (such as 30 days from the date of the Commission Order cancelling your certificate), and write a letter requesting cancellation. A copy of our rule is attached.
- (2) Do nothing - In this case, your certificate will be cancelled on the Commission's own motion. All outstanding RAFs, including penalty and interest charges, will be turned over to the Comptroller's Office for collection. In addition, Rule 25-24.511(5), F.A.C., states that "Only one certificate per applicant will be granted. A new certificate will not be granted to any applicant who has previously had a certificate involuntarily

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FSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

Ms. Amy Sudduth
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cancelled." This means that if you choose this option, you could not reapply for a new certificate at a later date.

- (3) Propose a settlement - There is normally a \$500 fine imposed for this rule violation. You need to write the Commission a settlement letter that must include the following:
- Docket number;
 - A check for the past due amount in full;
 - A 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, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. The proposed settlement amount should **not** be paid at this time, instead only the past due regulatory assessment fee, plus penalty and interest charges should be paid. The settlement amount, if approved by the Commission, must be paid within 10 business days after the Commission Order is issued.

Please let me know what your decision is by October 5, 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. 001023-TC
Division of Legal Services (Banks)