

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date November 1, 2000

Docket No. 001655-TL

1. Division Name/Staff Name Competitive Services/Isler
2. OPR Competitive Services/Isler
3. OCR Legal Services
4. Suggested Docket Title Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3756 Issued to Carib Comm, L.P. for Violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

James W. Mahan _____

2. Interested Persons and their representatives (if any)

6. Check one:

- Documentation is attached.
 Documentation will be provided with recommendation.

I:\PSC\RAR\WP\ESTDKT.

PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE
14153 NOV-18
FPSC-RECORDS/REPORTING

STATE OF FLORIDA

Commissioners:
 J. TERRY DEASON, CHAIRMAN
 SUSAN F. CLARK
 E. LEON JACOBS, JR.
 LILA A. JABER



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

Public Service Commission

July 11, 2000

Carib Comm, Limited Partnership
 c/o James W. Mahan
 12972 SW 133 Court
 Miami, FL 33186

Dear Mr. Mahan:

On March 30, 2000, the Commission received your letter which responded to the Show Cause Order in Docket No. 000034-TI. Within that letter was a request for cancellation of both your interexchange carrier and pay telephone certificates. This letter responds to your request.

First, there are two types of cancellations. One is a voluntary cancellation, in which the company requests cancellation. The Commission normally grants voluntary cancellations when the company is in good standing and has no outstanding balance of the regulatory assessment fees (RAF), including statutory penalty and interest charges. The other type is involuntary. If a company is **not** in good standing and has an outstanding balance of the RAF, the Commission normally grants the cancellation on its own motion for a rule violation. The certificate is cancelled and any balance owed is forwarded to the Comptroller's Office for collection.

Second, the regulatory assessment fee is assessed if a certificate is active for any one day during a calendar year. The RAF is due by January 30 of each year, unless the 30th falls on a weekend, then the fee is due by the next working day, for the previous year.

Interexchange Carrier Certificate (TI255)

Order No. PSC-00-0373-SC-TI was issued on February 22, 2000, in Docket No. 000034-TI. Carib was ordered to show cause why it should not be fined \$10,000 or have its interexchange carrier certificate cancelled for not responding to staff and why it should not be fined \$500 for nonpayment of the 1997 RAF balance, plus 1994 and 1995 penalty and interest.

Carib had until March 14, 2000 to respond in writing to the Show Cause Order. Your written response was not received until March 30, 2000. Therefore, your interexchange carrier certificate was cancelled and the \$500 fine assessed.

Carib Comm, Limited Partnership
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July 11, 2000

According to Commission records, Carib owes \$594.64, which consists of the \$9.00 penalty and interest balance for the late payment of the 1994 RAF, \$15.50 penalty and interest balance for the late payment of the 1995 RAF, \$17.14 balance of the 1997 RAF, \$3.00 penalty and interest balance for the late payment of the 1999 RAF, \$50.00 for the 2000 RAF, and the \$500.00 fine.

You had mentioned in your letter that your comptroller had contacted the Commission's Division of Administration and was advised to "disregard" the late notice. Unfortunately, Commission staff does not have the authority to waive penalty and interest charges because the charges are required by Florida Statute. Therefore, even though your comptroller may have been told to disregard a late notice, the penalty and interest charges are still applicable and due.

Pay Telephone Certificate (TF104)

According to our records, Carib owes \$68.50, which consists of a \$15.50 penalty and interest balance for the late payment of the 1995 RAF, \$3.00 penalty and interest balance for the late payment of the 1999 RAF, and the \$50.00 for the 2000 RAF.

Based on the above information, I cannot recommend a voluntary cancellation of your pay telephone certificate unless the past due balance of \$68.50 is paid. Please respond in writing by July 31, 2000 and let me know how you wish to proceed. In the meantime, 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

ORIGINAL

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3756

RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION

00 MAR 30 AM 8:41

MAIL ROOM

Carib Comm., Inc.
C/O James W. Mahan
12972 SW 133 Court
Miami, Florida 33186
(305) 254-0262 Office
(305) 254-3520 Fax

March 10, 2000

Blanca S. Bayo
Director
Division of Records and Reporting
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RE: Carib Comm., L.P. TI-255

000034-TI

Dear Ms. Bayo:

This letter is our response to your letter dated February 22, 2000. Carib Comm ceased to do business in the State of Florida as of September 1999. We contacted Ms. Biegalski on March 8, 2000 and responded to her letter dated August 2, 1999. A copy of our response and our letter has been included for your review. In that letter, the PSC wanted to know if there were any overcharges to our customers with regards to 0+ / 0- calls. Carib Comm never offered operator services to its customers. Also, in that same letter the PSC wanted to know when we would be revising our tariffs. As we mentioned before, Carib Comm ceased to do all and any type of business as of September 1, 1999, therefore, a revision of the tariffs was not necessary.

AFA
APP
CAF
OMW
CTR
EAG
LEG
MAS
OPC
PRR
SEC
WAW
OTH

In reference to the penalty and interest for the year 1994, we have enclosed a copy of a letter dated September 9, 1994 from Mrs. Valorie Moore in which she mentions the delinquency in this account. Our controller for the company, Ms. Terry Remon, contacted Mrs. Moore on September 16, 1994 and Mrs. Moore told Ms. Remon to

DOCUMENT NUMBER-DATE

03987 MAR 30 8

FPSC-RECORDS/REPORTING

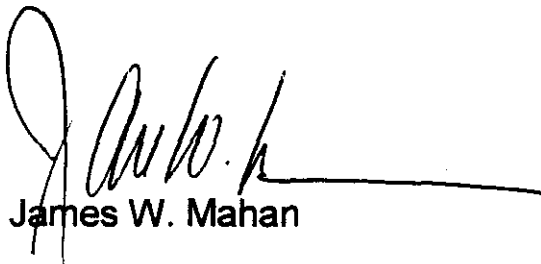
disregard this notice. We were under the assumption that no money was due on this return. As for penalties and interest for 1995 and 1997, we would like to get the amount due for both returns in order to pay it. We have never received any notice telling us how much we owe on those returns. Your letter from February 22, 1999 was our first and only indication that we owed any money at all.

Since Carib Comm is no longer in business, we would like to request that both certificates be cancelled as of September 1, 1999. The certificates that need to be cancelled are:

Interexchange Companies Regulatory Assessment – TI 255
Pay Telephone Service Provider Regulatory Assessment – TF 104

If you have any further questions, please contact me directly at (305) 254-0262.

Sincerely,



James W. Mahan

RAF ACCOUNT

Printed on 11/01/2000 at 10:34:02 by PJI

Carib Comm, L.P. (TF104)

Period Covered: 01/01/1999-12/31/1999	Actual Return: Yes	Operating Revenue: \$0.00
Service: PAT	Received RAF Form: Yes	Interstate Revenue: \$0.00
Due Date: 01/31/2000	Payment Plan: No	Net RAF Due: \$50.00
Postmark Date: 02/01/2000	Extension: No	Refund Issued: \$0.00
Satisfied: No	RAF Rate: 0.0015	Fine Paid: \$0.00

DESCRIPTION	AMOUNT DUE	AMOUNT PAID	AMOUNT OWED
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$2.50	\$0.00	\$2.50
Interest	\$0.50	\$0.00	\$0.50
Extension Fee	\$0.00	\$0.00	\$0.00
Additional Payment	\$0.00	\$0.00	\$0.00
Total	\$53.00	\$50.00	\$3.00

