



**atlantic.net**

RJR -

**ORIGINAL**

Atlantic.Net Internet Services  
2815 NW 13th Street, Suite 201  
Gainesville, Florida 32609  
http://www.atlantic.net  
tel: 352-375-2912 or 800-422 2936  
fax: 352-375-2702

Ref: Docket no. 001468-Tx

Today Date 11/2/00

On March 15, 2000 we officially started our Alec operations. Prior to this date only the initial paperwork though our attorneys was completed. Due to the large number of mail we received on a daily bases; all mail that was related to the ALEC was set-aside for the startup date.

We understand that PSC has the right to access fee's. At the time that the assessment fee was sent to our office, there was no staff to receive or answer the form. On 3/01/2000, I was hired to oversee the ALEC operations. We never received to my knowledge any information pertaining to these fee's after this date. It was not a intentional act of Atlantic.net broadband to withhold any payments from the PCS. Due to the large amount of mail that is sent to a new clec and the small staff of a new ALEC we must prioritize all incoming mail and I can insure you that PSC will get the highest priority from now on.

We ask that the PSC reduce the fine to \$200.00. We now have in place procedures to prevent this from happing again.

If I can be of further help you can reach me directly at 352 375-2912 extensions 4387.

Kevin Hayes  
Director of ALEC operations  
Atlantic.net Broadband

APP	_____
CAF	_____
CMP	_____
COM	_____
CTR	_____
ECR	_____
LEG	_____
OPC	_____
PAI	_____
RGO	_____
REC	_____
REP	_____
...	_____

*Hay*

*Gone 11/09/00*

DOCUMENT NUMBER-DATE  
**14346 NOV-78**  
FPSC-RECORDS/REPORTING

TO AVOID PENALTY AND INTEREST CHARGES, REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON BEFORE 01/31/2000  
**Alternative Local Exchange Company Regulatory Assessment Fee Return**

STATUS:

- Actual Return  
 Estimated Return  
 Amended Return

*P. Isler  
RGR*

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

TX283  
 Atlantic.Net Broadband, Inc.  
 2815 NW 13th Street, Suite 201  
 Gainesville, FL 32609-2865 DATE  
 D 3 8 5 0 NOV 0 8 2000

FOR PSC USE ONLY  
 Check# 1019  
 \$ 50.00 060300  
 \$ 12.50 00300  
 P  
 \$ 5.50 060300  
 I  
 Postmark Date 11/3/00  
 Initials of Preparer MC

PERIOD COVERED:  
 04/17/99 TO 12/31/99

Please Complete Below if Official Mailing Address Has Changed

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

LINE NO.	ACCOUNT CLASSIFICATION	FLORIDA	
		GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Basic Local Services	\$ 0	\$ 0
2.	Long Distance Services (IntraLATA only)**		
3.	Access Services		
4.	Private Line Services		
5.	Leased Facilities & Circuits Services		
6.	Miscellaneous Services		
7.	TOTAL REVENUES		\$ 0
8.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)		\$ 50.00
9.	Net Intrastate Operating Revenue for Regulatory Assessment Fee Calculation (Line 7 less Line 8)		\$ 5.00
10.	Regulatory Assessment Fee Due (Multiply Line 9 by 0.0015)		\$ 0.75
11.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		\$ 5.15
12.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		\$ 0.00
13.	TOTAL AMOUNT DUE		\$ 6.70

\* These amounts must be intrastate only and must be verifiable.  
 \*\* Other long distance revenues must be listed on the Interexchange Regulatory Assessment Fee Return.

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

( ) Facilities-Based Provider  
 CURRENT COMPANY STATUS  
 Reseller  
 Other: \_\_\_\_\_

Complete below if billing agent is other than yourself.  
 BILLING INFORMATION  
 \_\_\_\_\_ (Name) \_\_\_\_\_ (Address: City/State/Zip) \_\_\_\_\_ (Telephone)

COMPANY INFORMATION  
 Do you lease telecommunications facilities?  Yes  No

ATLANTIC.NET BROADBAND  
 2815 N.W. 13TH STREET, SUITE 201  
 GAINESVILLE, FL 32609

Date 11/3/00 63-4/630 FL 1002

Pay to the Order of FL Public Service Commission \$ 68.00  
Sixty-eight and 00/100 Dollars

**NationsBank**  
 NationsBank, N.A.  
 A/C # 063000047  
 For Assessment fee

By knowledge and belief the above information is true and correct and no statement in writing with the intent to mislead.  
 Date 11-2-00  
 Fax Number (352) 375-2702

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

November 3, 2000

Mr. Kevin Hayes  
Atlantic.Net Broadband, Inc.  
2815 NW 13th Street, Suite 201  
Gainesville, FL 32609-2865

**Re: Docket No. 001468-TX**

Dear Mr. Hayes:

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 it is postmarked by November 26, 2000, the 1999 total is \$67.50 (\$50.00 fee, \$12.50 penalty, and \$5.00 interest). If your check is postmarked between November 27 and December 26, 2000, the interest increases to \$5.50, or a total minimum amount of \$68.00.

Since the Commissioners have not yet voted on this docket, you have 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.
- (3) Propose a settlement - There is normally a \$500 fine imposed for this rule violation. It should be noted that just paying the past due amount will not prevent

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An Affirmative Action/Equal Opportunity Employer

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

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

Mr. Kevin Hayes  
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November 3, 2000

your certificate from being cancelled. 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 what those steps are; 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 November 20, 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](mailto:pisler@psc.state.fl.us).

Sincerely,



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

Enclosures

cc: Docket No. 001468-TX  
Division of Legal Services (K. Peña)

**FLORIDA PUBLIC SERVICE COMMISSION**  
Instructions For Filing Regulatory Assessment Fee Return  
(Alternative Local Exchange Company)

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, when July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee Return may be filed or postmarked on the next business day, without penalty or interest.

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.

On Line 8, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.

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 11). 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 12). 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 timely file a Regulatory Assessment Fee Return, the Commission has the authority to 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 request for an extension of time up to 30 days may be made by filing the enclosed *Request for Extension to File Regulatory Assessment Fee Return* form (PSC/ADM-12A), two weeks prior to the filing date. When 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 fee 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 files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. Make your check payable to the Florida Public Service Commission. 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 Services

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

For assistance regarding telecommunications facilities, please contact the Division of Communications at (850) 413-6502.

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