

REQUEST FOR CHANGE TO AGENDA CONFERENCE
HAND DELIVER

Date of Request: 11/30/01 Date of Agenda Conference: 12/04/01 Item No. [REDACTED]

Docket No.: 011228-TX Brief Title: Cancellation by FPSC of Alternative Local Exchange Telecommunications Certificate No. 7209 issued to DialTek, LLC d/b/a DTK Telecommunications, LLC for violation of Rule 25-4.0161, F.A.C., RAF Fees; Tele. Co. and 25-24.835, F.A.C., Rules Incorporated.

Requested by: ☐ Staff ☒ Other Charles Power
Please attach a copy of the written documentation if the change is not requested by staff. (Name)

ACTION REQUESTED [see APM 2.11 and SOP 1607]

- ☒ Defer Item to Agenda Scheduled Date: 1/8/02
☐ Change Order of Item or Take Up at Time Certain
☐ Withdraw Item
☐ Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) A copy of the front page of the recommendation must be provided to CCA by 12 noon on the regular filing date for use as a place-holder during agenda preparation.
☐ Add Item to Published Agenda [see Section 120.525(2), F.S.] - Issue an ADDENDUM and give Legal NOTICE
☐ Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] - Issue an ADDENDUM and Give Fair NOTICE

Concise recommendation/explanation and justification for the action requested (attach additional sheet if necessary):
The company has submitted a settlement offer, which staff can support. Docket should be deferred to allow staff an opportunity to revise the recommendation.

STAFF's Recommendation to Executive Suite ☒ Approve Request ☐ Deny Request

Comments

**Deferral request applies to Docket No. 011228-TX only and the remaining dockets require a vote.*

Signature (OPR Staff): [Signature] Initials (OPR Division Director or Designee): [Signature]

Signature (Legal Staff): [Signature] Initials (Legal Division Director or Designee): [Signature]

DEPUTY EXECUTIVE DIRECTOR/TECHNICAL OR EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office ☒ Approve Request ☐ Deny Request

Initials: MB Date: 11/30/01

Comments:

APP
CAF
CMP
COM
CTR
ECR
LEG
OPC
PAI
RGO
SEC
SER
OTH

CHAIRMAN's OFFICE:

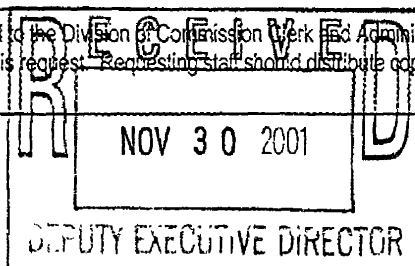
Initials: MB

☒ Approve Request ☐ Deny Request

Date: 11/30/01

Executive Suite will send the original to the Division of Commission Clerk and Administrative Services and return a copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

PSC/EXD-1 (06/01)



DOCUMENT NUMBER-DATE

15043 NOV 30 01

FPSC-COMMISSION CLERK

DIALTEK, LLC

**P.O. Box 2789
Woodinville, Washington 98072
Tel: (206) 660-3865
Fax: (425) 424-3377**

2001 NOV 29 PM 3:20
DIVISION OF
COMPETITIVE SERVICES

BY OVERNIGHT MAIL

November 27, 2001

Ms. Blanca Bayo
Director

cc - Paula J. Isler
Division of the Commission Clerk & Administration Services
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Re: **DialTek, LLC: Docket No. 011228-TX**

Urgent Action Requested: Deferral of Action Set for December 4, 2001

Dear Ms. Bayo:

DialTek, LLC, d.b.a. DTK Telecommunications, LLC (herein, "DTK"), was notified in September of this year by Paula J. Isler, Research Assistant, that a docket was opened for nonpayment of the 2000 Regulatory Assessment Fee (RAF) and for not providing the Commission with an updated address and phone number.

Yesterday, Barbara Bailey informed us that this matter is on the December 4, 2001 agenda of the Florida Public Service Commission ("Commission"). We wish to do all that is necessary to maintain our telecommunications certificate. In this regard, we are appreciative that Barbara Bailey faxed to us the requirements for keeping the certificate active.

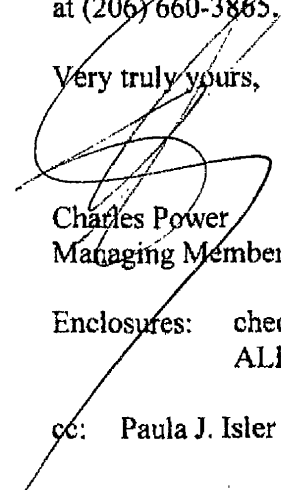
DTK hereby requests deferral of action by the Commission on December 4, 2001 and offers the following settlement proposal with respect to the items on the Commission's December 4, 2001 agenda, Docket No. 011228-TX:

1. A check is enclosed for \$68.00 representing the 2000 Regulatory Assessment Fee of \$50.00, late payment penalty of \$12.50 and late payment interest of \$5.50.
2. Enclosed is a completed, executed Commission Regulatory Assessment Fee Return.

3. Updated reporting information: Charles Power, DTK managing member, is the contact person for DTK; the mailing address for DTK is P.O. Box 2789, Woodinville, WA 98072-2789; the telephone and fax numbers for DTK are (206) 660-3865 and (425) 424-3377 respectively; the e-mail address for DTK is Cpower@starband.net.
4. The Company has established a time sensitive tickler system to ensure that regulatory reports are filed and assessment fees are paid in accordance with Commission requirements.
5. The Company agrees to waive any objection to the administrative cancellation of its certificate should it fail to pay in accordance with its settlement offer. If, however, there is a factual dispute as to the manner or level of compliance with any provision in the settlement, Commission staff will bring the matter to the Commission for consideration.
6. DTK offers to pay \$200.00 to the Commission to settle this matter.

We apologize for the inconvenience that DTK has caused to the Commission and Commission staff. If you have any questions or need further information, please call me at (206) 660-3865.

Very truly yours,


Charles Power
Managing Member

Enclosures: check for \$68.00
ALEC Regulatory Assessment Fee Return

cc: Paula J. Isler w/o enclosures

bayoflapuclet.doc