

ORIGINAL

## REQUEST TO ESTABLISH DOCKET

(Please Type)

Date	June 25, 2002	Docket No.	020568-TX
1. Division Name/Staff Name:		Division of Competitive Markets & Enforcement/Isler	
2. OPR: Division of Competitive Markets & Enforcement/Isler			
3. OCR: Office of the General Counsel			
4. Suggested Docket Title: Cancellation by Florida Public Service Commission of ALEC Certificate No. 5276 issued to TOTALink of Florida, LLC 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 OR ACRONYMS ONLY if a regulated company.			
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)			
1. Parties and their representatives (if any):			
2. Interested persons and their representatives (if any):			
6. Check one:			
<input checked="" type="checkbox"/> Documentation is attached.			
<input type="checkbox"/> Documentation will be provided with recommendation.			
PSC\CCA010-C (Rev 10/01)			

DOCUMENT NUMBER DATE

06535 JUN 25 8

FPSC-COMMISSION CLERK

STATE OF FLORIDA

COMMISSIONERS:  
LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI  
RUDOLPH "RUDY" BRADLEY



DIVISION OF COMPETITIVE MARKETS &  
ENFORCEMENT  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

## Public Service Commission

April 24, 2002

Mr. Joel De Jesus, VP  
TOTALink of Florida, LLC (TX138)  
c/o Utilicom Networks, LLC  
124 Grove Street, Suite 220  
Franklin, MA 02038-3156

Dear Mr. De Jesus:

The Regulatory Assessment Fee (RAF) is due by January 30<sup>th</sup> of each year for the preceding calendar year. For certificate holders, the RAF is owed even if a telecommunications company may not have started operations or had any revenues. If payment is made after the due date, then statutory penalty and interest charges are applicable.

Our records show the 2001 RAF return notice was mailed December 12, 2001, and a delinquent notice was mailed February 20, 2002. As of this date, our records do not show receipt of the RAF return or payment. A copy of the 2001 RAF return form is attached.


If full payment, including penalty and interest charges, along with the RAF return form, are not received by May 15, 2002, it is my intention to establish a docket and recommend that the Commission fine your company \$500 or cancel your certificate. Please note that once a docket has been established, **just paying the delinquent RAF amount will not prevent your certificate from being cancelled.**

If you wish to cancel your certificate voluntarily and leave in good standing with the Commission, your company should pay the past due amount in full, complete the 2001 RAF return form, either pay the 2002 RAF or provide a date certain it will be paid, and comply with the requirements of Rule 25-24.820, Florida Administrative Code, copy attached. Any unpaid RAFs, including penalty and interest charges, are turned over to the Comptroller's Office for collection if the Commission cancels a company's certificate on its own motion (involuntary cancellations).

If you have any questions, please contact me at (850) 413-6502-voice, (850) 413-6503-fax, at the address below, or via internet e-mail at [pisler@psc.state.fl.us](mailto:pisler@psc.state.fl.us).

Mr. Joel De Jesus, VP  
Page 2  
April 24, 2002

Sincerely,

A handwritten signature in black ink, reading "Paula J. Isler". The signature is written in a cursive style with a large, stylized "P" and "I".

Paula J. Isler, Research Assistant  
Bureau of Service Quality

Enclosures

# Alternative Local Exchange Company Regulatory Assessment Fee Return

STATUS:

☐ Actual Return  
☐ Estimated Return  
☐ Amended Return

PERIOD COVERED:  
 01/01/2001 TO 12/31/2001

## Florida Public Service Commission

(See Filing Instructions on Back of Form)

TX138-01-0-R  
 TOTALink of FLorida, LLC  
 % Utilicom Networks, LLC  
 124 Grove Street, Suite 220  
 Franklin, MA 02038-3156

Please Complete Below If Official Mailing Address Has Changed

### FOR PSC USE ONLY

Check# \_\_\_\_\_  
 \$ \_\_\_\_\_ 0603006  
 \_\_\_\_\_ 003001  
 \$ \_\_\_\_\_ P  
 \_\_\_\_\_ 0603006  
 \_\_\_\_\_ 004011  
 \$ \_\_\_\_\_ I  
 Postmark Date \_\_\_\_\_  
 Initials of Preparer \_\_\_\_\_

(Name of Company)

(Address)

(City/State)

(Zip)

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

\* These amounts must be intrastate only and must be verifiable.

\*\* Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return.

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

### CURRENT COMPANY STATUS

☒ Facilities-Based Provider

☐ Reseller

☐ Other: \_\_\_\_\_

### BILLING INFORMATION

Complete below if billing agent if other than yourself.

(Name)

(Address: City/State/Zip)

(Telephone)

### COMPANY INFORMATION

Do you lease telecommunications' facilities? ☐ YES ☐ NO

If YES, who do you lease these facilities from? Name: \_\_\_\_\_

Address: \_\_\_\_\_

I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his/her duty shall be guilty of a misdemeanor of the second degree.

(Signature of Company Official)

(Title)

(Date)

(Preparer of Form - Please Print Name)

Telephone Number ( ) Fax Number ( )

F.E.I. No. \_\_\_\_\_

**25-24.820      Revocation of a Certificate.**

(1)      The Commission may on its own motion, after notice and opportunity for hearing, revoke a company's certificate for any of the following reasons:

- (a)      Violation of a term or condition under which the authority was originally granted;
- (b)      Violation of Commission rule or order;
- (c)      Violation of Florida Statute; or
- (d)      Violation of a price list standard.

(2)      If a certificated company desires to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following with its request. Cancellation of a certificate shall be ordered subject to the holder providing the required information.

- (a)      A statement of intent and date certain to pay regulatory assessment fee.
- (b)      A statement of why the certificate is proposed to be cancelled.
- (c)      A statement as to how customer deposits and final bills will be handled.
- (d)      Proof of individual customer notice regarding discontinuance of service.

**Specific Authority: 350.127(2), F.S.**

**Law Implemented: 364.335, 364.345, F.S.**

**History: New 12/26/95.**

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TX138 TOTALink of FLorida, LLC  
% Utilicom Networks, LLC  
124 Grove Street, Suite 220  
Franklin, Massachusetts 02038-3156

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

Liz McMullen

2/26/02

C. Signature

X

Liz McMullen

☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article No.

(Transfer to)

7001 2510 0002

6218

9113

PS Form 3811, March 2001

Domestic Return Receipt

102595-01-M-1424

## MCD Company Information for TX138

Printed on 06/25/2002 at 09:25:27 by PJI

Company Code: TX138  
Company Name: TOTALink of FLorida, LLC  
Certificate No(s): 5276  
Status: Active  
Regulation Date: 11/24/1997  
Bankruptcy: No  
Company Liaison #1: Joel De Jesus  
Title: Vice President  
Mailing Address: % Utilicom Networks, LLC  
124 Grove Street, Suite 220  
Franklin, MA 02038-3156  
Physical Location: % Utilicom Networks, LLC  
124 Grove Street, Suite 220  
Franklin, MA 02038-3156  
Phone: (508) 553-7008  
Fax: (508) 553-7100

### Related Dockets:

971057-TX      Application for certificate to provide alternative local exchange telecommunications service by UCN-Clay, Limited Partnership d/b/a Access Communications - First Coast.

980164-TX      Request for transfer of control of UCN-Clay, Limited Partnership d/b/a Access Communications - First Coast (holder of Alternative Local Exchange Telecommunications Certificate No. 5276) to UtiliCom Networks Clay County, Inc.

000866-TX      Request for approval of pro forma corporate reorganization of UCN-Clay, Limited Partnership d/b/a Access Communications - First Coast (holder of ALEC Certificate No. 5276), wholly owned subsidiary of SIGECOM Holdings, Inc., majority owned subsidiary of UtiliCom Networks LLC, and name change on certificate to TOTALink of Florida, LLC.

010090-TX      Request for approval of pro forma corporate reorganization whereby TOTALink of Florida, LLC (holder of ALEC Certificate No. 5276) will become a wholly owned subsidiary of Utilicom Networks Holdings, LLC.

# COMPANY IDENTIFICATION

Printed on 04/23/2002 at 15:54:34 by PJI

Complete Name: TOTALink of Florida, LLC

Mailing Name: TOTALink of FLorida, LLC

Company Code: TX138

FEID Number: 04-3546868

## RAF ACCOUNT FOR THE PERIOD 01/01/1997 THROUGH 12/31/1997

Reg. Date: 11/24/1997

Inactive Date:

Service: ALX - Alternative Local Exchange

Received: Actual RAF Form

Status: Pending

Amended: No

Extension: No

Frozen: No

Comments: No

Payment Count: 1 Payment Made to Date

Operating Rev: \$0.00

Interstate Rev: \$0.00

RAF Rate: 0.0015

Net RAF Due: \$50.00

Assessment	Due	Paid	Owe
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
Total	\$53.00	\$50.00	\$3.00

Last modification was made on Tuesday, December 5, 2000 at 8:42 AM by Jackie Knight

Period covered: 01/01/1997 through 12/31/1997

RAF rate: 0.0015

Operating rev: \$0.00 Gross intrastate rev:

\$0.00

Documents: Actual RAF form received on 03/11/1998

Remarks: COA

RAF form mailed on 01/20/1998 (Certified id #: P174 241 903)

Postmarked Trans Date Date Posted-By Dep # Check # Check Amount

03/11/1998 03/20/1998 03/26/1998-JBW DI727 3480 \$50.00

RAF paid DI727 \$50.00

Remarks: COA



# COMPANY IDENTIFICATION

Printed on 04/23/2002 at 15:54:06 by PJI

Complete Name: TOTALink of Florida, LLC

Mailing Name: TOTALink of FLorida, LLC

Company Code: TX138 FEID Number: 04-3546868

## RAF ACCOUNT FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001

Reg. Date: 11/24/1997 Inactive Date:  
 Service: ALX - Alternative Local Exchange  
 Received: No RAF Form  
 Status: Pending  
 Amended: No Extension: No  
 Frozen: No Comments: No  
 Payment Count: 0 Payments Made to Date  
 Operating Rev: \$0.00 Interstate Rev: \$0.00  
 RAF Rate: Net RAF Due: \$0.00

Assessment	Due	Paid	Owe
RAF	\$0.00	\$0.00	\$0.00
Penalty	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Last modification was made on Thursday, December 6, 2001 at 2:40 PM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001 RAF rate:  
 Operating rev: \$0.00 Gross intrastate rev: \$0.00  
 Documents: Delinquent letter mailed on 02/20/2002  
 RAF form mailed on 12/06/2001