

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: November 1, 2007

TO: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk

FROM: David E. Smith, Attorney Supervisor, Office of the General Counsel
 Adam J. Teitzman, Senior Attorney, Office of the General Counsel *AT JS*
 Robert J. Casey, Public Utilities Supervisor, Division of Competitive Markets & Enforcement *PK*

RE: Docket No. 060300-TL Petition for recovery of intrastate costs and expenses relating to repair, restoration and replacement of facilities damaged by Hurricane Dennis, by GTC, Inc. d/b/a GT Com *BMS*

By Order No. PSC-06-0681-FOF-TL, issued August 7, 2006, in Docket No. 060300-TL, the Commission approved storm cost recovery of \$4,950 through a one-time charge of up to \$0.11 per access line to GT Com customers. On September 6, 2006, GTC, Inc. (GTC) appealed the Commission's Order to the Supreme Court of Florida. On September 6, 2007, the Florida Supreme Court affirmed Commission Order No. PSC-06-0681-FOF-TL.

The Commission Order directed that "this docket shall remain open for a period of time to allow us to verify the collected amount does not exceed the amount authorized." On October 31, 2007 staff contacted Mr. Robert Mark Elmer of GTC to determine if and when GTC would collect the surcharge from its customers. Mr. Elmer stated that GTC will not be imposing the one-time surcharge of \$0.11 on its customers. Therefore, no further action is necessary in this docket and the docket can be closed.)

ok to close 11/02/07 BMS

cc: Division of Competitive Markets and Enforcement (Salak, Mailhot, Moses, Wright, Mann, Watts)
 Office of General Counsel (Wiggins)
 Division of Regulatory Compliance and Consumer Assistance (Vandiver)

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