

REQUEST TO ESTABLISH DOCKET

(Please Type)

ORIGINAL

Date	July 17, 2002	Docket No.	020753-TI														
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 IXC Certificate No. 7872 issued to Y & B Services Corporation d/b/a Plastigol Miami and d/b/a Orbitel USA for violation of Rules 25-4.0161, F.A.C., Regulatory																	
Assessment Fees; Telecommunications Companies and 25-24.480, F.A.C., Records & Report; Rules Incorporated.																	
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): <table border="1"><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr></table>																	
2. Interested persons and their representatives (if any): <table border="1"><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr></table>																	
6. Check one: <input checked="" type="checkbox"/> XX Documentation is attached. _____ Documentation will be provided with recommendation.																	
PSC\CCA010-C (Rev 10/01)																	

DOCUMENT NUMBER-DATE

07436 JUL 17 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

May 23, 2002

Mr. Jesus A. Yepes, President
Orbitel USA (TJ540)
12000 Biscayne Blvd., Suite 607
North Miami, FL 33181-2703

Dear Mr. Yepes:

The Regulatory Assessment Fee (RAF) is due by January 30th 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 enclosed.

If full payment, including penalty and interest charges, along with the RAF return form, are not received by June 13, 2002, it is my intention to establish a docket and recommend that the Commission fine your company \$1,000 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.**


In addition to nonpayment of the 2001 RAF, the Commission has attempted to contact your company without success. Commission rules provide that a telecommunications company must update its address, telephone numbers, and liaison within 10 days of a change. The USPS returned mail to us addressed to your company. This information needs updating with us by June 13th.

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 25-24.474, 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).

Mr. Jesus A. Yepes, President
Page 2
May 23, 2002

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.

Sincerely,

A handwritten signature in black ink, appearing to read "Paula J. Isler". The signature is fluid and cursive, with the first name "Paula" being the most prominent part.

Paula J. Isler, Research Assistant
Bureau of Service Quality

Enclosures

Interexchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

☐ Actual Return
☐ Estimated Return
☐ Amended Return

PERIOD COVERED:

08/08/2001 TO 12/31/2001

TJ540-01-0-R
 Orbitel USA
 12000 Biscayne Blvd., Suite 607
 North Miami, FL 33181-2703

cc: P. Isler

Please Complete Below If Official Mailing Address Has Changed

FOR PSC USE ONLY

Check# _____
 \$ _____ 0603001
 _____ 003001
 \$ _____ P
 _____ 0603001
 _____ 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.	Long Distance Services	\$ _____	\$ _____
2.	Access Services	_____	_____
3.	Private Line Services	_____	_____
4.	Leased Facilities & Circuits Services	_____	_____
5.	Miscellaneous Services	_____	_____
6.	TOTAL Telephone Services	\$ _____	\$ _____
7.	LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back)	(_____)	(_____)
8.	TOTAL REVENUES For Regulatory Assessment Fee Calculation	_____	_____
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0015)	_____	_____
10.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
11.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
12.	TOTAL AMOUNT DUE	_____	\$ _____

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

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

CURRENT COMPANY STATUS

☐ Facilities-Based Carrier ☐ Reseller ☐ Call Aggregator
☐ Alternate-Operator Service ☐ Rebillor ☐ Other: _____

BILLING INFORMATION

Complete below if billing agent if other than yourself.

_____ (Name) _____ (Address: City/State/Zip) _____ (Telephone)
 What is the total amount of customer deposits collected? What is the total amount of bond held (if applicable)?
 Amount: \$ _____ for 19 _____ Amount: \$ _____ Expires: _____

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. _____

25-24.474 Cancellation of a Certificate.

(1) The Commission may on its own motion cancel a company's certificate for any of the following reasons:

- (a) Violation of the terms and conditions under which the authority was originally granted;
- (b) Violation of Commission rule or order; or
- (c) Violation of Florida Statutes.

(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.

- (a) Statement of intent and date to pay Regulatory Assessment Fee.
- (b) Statement of why the certificate is proposed to be cancelled.
- (c) A statement on treatment of customer deposits and final bills.
- (d) Proof of individual customer notice regarding discontinuance of service.

(3) Cancellation of a certificate shall be ordered subject to the holder providing the information required by subsection (2).

Specific Authority 350.127(2) FS.

Law Implemented 350.113, 350.127(1), 364.285, 364.337, 364.345 FS.

History—New 2-23-87, Amended 3-13-96.

State of Florida



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: May 9, 2002
TO: Paula Isler, Division of Competitive Services
FROM: Sandy Moses, Division of the Commission Clerk and Administrative Services *sm*
RE: Returned Mail – Orbitel USA (Company Code TJ 540)

Mail addressed to the organization at the address shown below has been returned to the Commission by the U.S. Postal Service for the reason indicated on the attached copy of the envelope. Staff in the Hearing Services Section has confirmed that the address matches that in the Master Commission Directory, and attempts to contact the company by telephone and e-mail have been unsuccessful.

Orbitel USA
12000 Biscayn Blvd., Suite 607
North Miami, FL 33181-2703

If you are successful in contacting the company, please furnish a current mailing and location address as well as any other updated MCD information you obtain. Thank you for assisting this division in maintaining current information in the Master Commission Directory.

Attachment

Florida Public Service Commission
Bureau of Records and Hearing Services
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850



RETURNED
TO
SENDER
Not Deliverable as Addressed
UNABLE TO FORWARD

4/30/02

James A. Yipes
305-892-8500
fast track

TJS40
✓

Orbitel USA
12000 Biscayne Blvd., Suite 607
North Miami FL 33181-2703

33181+2703 60



5/3/02 10:51 AM

Sandy Moses

To: regnum-group@usa.net
Subject: Y & B Services Corporation d/b/a Plastigol Miami and d/b/a Orbitel USA (Company Code TJ540)

Mail addressed to your organization at the address shown below has been returned to the Florida Public Service Commission by the U.S. Postal Service: Orbitel USA

1200 Biscayne Blvd., Suite 607
North Miami, FL 33181-2703

To ensure timely delivery of official Commission correspondence, please send an updated address by return e-mail or letter addressed to: Florida Public Service Commission

ATTN: Hearing Services Section
2540 Shumard Oak Blvd.
Tallahassee, FL 32311-0870

As soon as the address correction is received, we will update the information contained in the Master Commission Directory (MCD). You may view additional information contained in MCD on your organization by visiting the Commission's Web site at www.psc.state.fl.us. Once you are connected, click on the topic "General Information" then "Companies Regulated by the FPSC," "View Companies." When the alphabetical listing of companies appears, find your company's name then click on the company code hyperlink located in the right-hand column. If any of the information listed is incorrect, please provide appropriate updates.

Thank you for your assistance in this matter, and if you have any questions, contact me at telephone (850) 413-6728 or by return e-mail.

STATE OF FLORIDA

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



OFFICE OF GENERAL COUNSEL
HAROLD A. MCLEAN
(850) 413-6199

Public Service Commission

February 20, 2002

TJ540-01-0-D
Orbitel USA
12000 Biscayne Blvd., Suite 607
North Miami, FL 33181-2703

Dear Certificate Holder:

The Division of the Commission's Clerk and Administrative Services has forwarded your account to our office to address the nonpayment of the Regulatory Assessment Fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year 2001, which was due January 30, 2002. The RAFs return form was mailed to you on **December 15, 2001**, and to date, Commission records reflect that payment has not been received.

According to Florida Law, you are required to add interest charges at 12% per annum, and a 5% penalty for each 30-day period or fraction thereof, beyond the due date, up to a maximum of 25% in addition to the delinquent amount due. In addition, pursuant to Section 364.285, Florida Statutes, the Commission is authorized to impose upon any entity subject to its jurisdiction a penalty of not more than \$25,000 for each offense, if such entity is found to have refused to comply with or to have willfully violated any lawful rule or order of the Commission, or any provision of Chapter 364.

Utilities are charged with knowledge of our rules and statutes. Moreover, it is general Commission practice that all utilities that apply for **Interexchange Telephone** certificate receive a copy of all applicable rules. Further, in accordance with Section 364.335, Florida Statutes, as part of the application process, utilities provide an affidavit indicating that they have read and understood the applicable rules.

If you wish to request another form, please contact Jackie Knight at the number below. The payment should be identified with the company code and the company's name. Failure to provide payment within 15 days of this notice will result in the establishment of a docket to address your failure to return the RAFs form and pay RAFs in accordance with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. As specified above, pursuant to Section 364.285, Florida Statutes, the Commission may impose a fine or cancel your telecommunications certificate. Therefore, it is important that you address this matter now.

If you have paid your fees, please provide us with your check number and the date that it was paid.

Should you have any questions concerning this letter please contact **Jackie Knight** at (850) 413-6267 or via Internet e-mail at jknight@psc.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to be "H. McLean".

Harold McLean
General Counsel

KMP
Enclosure

cc: Jackie Knight, Bureau of Administrative Services/Fiscal Services Section

MCD Company Information for TJ540

Printed on 07/12/2002 at 09:44:56 by PJI

Company Code:	TJ540
Complete Name:	Y & B Services Corporation d/b/a Plastigol Miami and d/b/a Orbitel USA
Mailing Name:	Orbitel USA
Certificate No(s):	7872
Status:	Active
Regulation Date:	08/08/2001
Bankruptcy:	No
Company Liaison #1:	Jesus A. Yepes
Title:	President
Mailing Address:	12000 Biscayne Blvd., Suite 607
Physical Location:	North Miami, FL 33181-2703 12000 Biscayne Blvd., Suite 607
Phone:	North Miami, FL 33181-2703 (305) 892-8500
Fax:	(305) 892-8592
Related Dockets:	
010688-TI	Application for certificate to provide interexchange telecommunications service by Y & B Services Corporation d/b/a Plastigol Miami and d/b/a Orbitel USA.

COMPANY IDENTIFICATION

Printed on 05/21/2002 at 15:45:57 by PJI

Complete Name: Y & B Services Corporation d/b/a Plastigol Miami and d/b/a Orbitel USA

Mailing Name: Orbitel USA

Company Code: TJ540

FEID Number: 65-0754509

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

Reg. Date: 08/08/2001

Inactive Date:

Service: IXC - Interexchange Telephone

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 3:01 PM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001

RAF rate:

Operating rev: \$0.00 Interstate rev:

\$0.00

Documents: Delinquent letter mailed on 02/20/2002

RAF form mailed on 12/06/2001