

STATE OF FLORIDA

Commissioners:  
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DIVISION OF COMPETITIVE SERVICES  
WALTER D'HAESELEER  
DIRECTOR  
(850) 413-6600

**Public Service Commission**

January 18, 2001

Mr. Ken Hoekstra  
DPI-Teleconnect, L.L.C.  
2997 LBJ Freeway, Suite 225  
Dallas, TX 75234-7627

**Re: Docket No. 001455-TX**

Dear Mr. Hoekstra:

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 although the 1999 RAF return was filed with the Commission showing no revenues. Please send payment for the past due amount in full. Since DPI did not have any revenues, the company owes only the minimum. If payment is postmarked by January 25, 2001, the 1999 total is \$68.50 (\$50.00 fee, \$12.50 penalty, and \$6.00 interest). If payment is postmarked between January 26 and February 24, 2001, the interest increases to \$6.50, or a total minimum amount of \$69.00.

It should also be noted that the 2000 RAF is due by January 30, 2001. Although the 2000 fee is not yet past due, it will be by the time this docket goes before the Commissioners. This means the 2000 fee must also be paid prior to the date of the Commission's Agenda Conference.

Since the Commissioners have not yet voted on this docket, the company has three options.

- (1) Cancel the certificate voluntarily - Pay all past due charges in full, pay the current year's RAF (2001) or provide a date certain that it will be paid (such as 30 days from the date of the Commission Order cancelling the certificate), and write a letter requesting cancellation. A copy of our rule is attached.
- (2) Do nothing - In this case, the 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.

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- (3) Propose a settlement - There is normally a \$1,000 fine imposed for this rule violation when a previous docket was established for the same rule violation. It should be noted that just paying the past due amount will not prevent the certificate from being cancelled. You need to write the Commission a settlement letter that must include the following elements:
- 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.
  - A waiver of objection to the administrative cancellation of the certificate in the event the settlement offer is accepted and the company fails to comply with the terms which the company has offered.

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 February 2, 2001. 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

Enclosure

cc: Docket No. 001455-TX  
Division of Legal Services (K. Peña)  
Mr. David M. Pikoff, Vice President

## **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 canceled.
- (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) FS.

Law Implemented 364.335, 364.345 FS.

History--New 12-27-95.

TRANSMISSION VERIFICATION REPORT

TIME : 01/18/2001 16:39  
NAME :  
FAX :  
TEL :

DATE, TIME	01/18 16:37
FAX NO./NAME	617709560700
DURATION	00:01:09
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