

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date:	12/30/2004	Docket No.:	041463-TX
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1. Division Name/Staff Name:	Division Of Competitive Markets & Enforcement/Isler
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2. OPR:	Division Of Competitive Markets & Enforcement
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3. OCR:	Office Of The General Counsel
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4. Suggested Docket Title:	Compliance investigation of TotalCom America Corporation for apparent violation of Rule 25-4.0161, FAC, Regulatory Assessment Fees; Telecommunications Companies.
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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:

Documentation is attached.

Documentation will be provided with recommendation.

DOCUMENT NUMBER-DATE
13630 DEC 30 3
FPSC-COMMISSION CLERK

Paula Isler

From: Don Johnston [donj@regnumgroup.com]
Sent: Friday, August 13, 2004 11:08 AM
To: Paula Isler
Cc: reg@regnumgroup.com
Subject: RE: TotalCom America Corporation (TX621)

Good morning Paula,

I apologize for the delay in returning your call; I received the message about twenty minutes ago. I was out of the office early yesterday working with a client on site.

I will have TotalCom completed before August 27, 2004, if you need for me to expedite the process I will be happy to do so. Also, I will follow-up on this email with a return call to you.

Thank you,

Don j
305-468-1645

-----Original Message-----

From: Paula Isler [mailto:PIsler@PSC.STATE.FL.US]
Sent: Thursday, August 12, 2004 3:51 PM
To: donj@regnumgroup.com
Subject: FW: TotalCom America Corporation (TX621)

I called you at 12:04 p.m. today and left a message for a call back. Since I didn't hear from you, I thought I would drop you a note letting you know that I am in the process of opening dockets for noncompliance of the Regulatory Assessment Fee rule. TotalCom is on the list. Please provide me a date certain the 2003 fee plus penalty and interest will be paid. Thanks.

Paula Isler
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6502-Phone
850-413-6503-Fax

From: Paula Isler
Sent: Wednesday, July 28, 2004 2:33 PM
To: 'Don Johnston'
Subject: RE: TotalCom America Corporation (TX621)

The 2003 Regulatory Assessment Fee is the only thing outstanding for this company to my knowledge. The fee is currently .0015% of a company's intrastate revenues or \$50 whichever is greater. Because payment is late, the penalty is 25% of the amount owed and the interest (if **postmarked by August 27, 2004**) is 7% of the amount owed. The interest charge continues to accrue by 1% for every 30 days it is late until the fee is paid.

Let me know if you have any other questions. Thanks.

8/13/2004

Paula Isler
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6502-Phone
850-413-6503-Fax

From: Don Johnston [mailto:donj@regnumgroup.com]
Sent: Tuesday, July 27, 2004 4:52 PM
To: Paula Isler
Cc: Matthew Schulman
Subject: TotalCom America Corporation (TX621)

Paula,

A quick confirmation of our phone conversation this morning regarding the Regulatory Assessment Fee (RAF) for TotalCom America Corporation (TX621). Regnum was retained today, July 27, 2004 to provide TotalCom with assistance in resolving their delinquent RAF. Are there any additional details I should be made aware of prior to initiation of the work? If you have any questions or comments please contact me as listed below.

Thank you,

Don Johnston
Regnum Group, Inc.
Provisioning and Regulatory Consultant
7999 NW 53 Street
Miami, FL 33166
Telephone: 305-468-1645
Facsimile: 305-468-8509
Cell: 786-229-2299
E-Mail: Reg@regnumgroup.com

The information in this e-mail is confidential and may be legally privileged. It is intended solely for the addressee. If you are not the intended recipient please delete. Any views expressed in this message are those of the individual sender, except where the sender specifically states them to be the views of Regnum Group, Inc.

Florida Department of State, Division of Corporations

Corporations Online

www.sunbiz.org

Public Inquiry

Florida Profit

TOTALCOM AMERICA CORPORATION

PRINCIPAL ADDRESS

100 N. BISCAYNE BLVD - SUITE 812
 MIAMI FL 33132
 Changed 08/05/2004

MAILING ADDRESS

100 N. BISCAYNE BLVD - SUITE 812
 MIAMI FL 33132
 Changed 08/05/2004

Document Number

P97000092461

FEI Number

650794532

Date Filed

10/27/1997

State

FL

Status

ACTIVE

Effective Date

NONE

Registered Agent

Name & Address
ALMENARA, ANTONIO B 100 N. BISCAYNE BLVD - SUITE 812 MIAMI FL 33132
Name Changed: 06/18/2002
Address Changed: 08/05/2004

Officer/Director Detail

Name & Address	Title
ALMENARA, ANTONIO BRITO 100 N. BISCAYNE BLVD - SUITE 812 MIAMI FL 33132	DPS
DARRA, CARMEN 100 N. BISCAYNE BLVD - SUITE 812 MIAMI FL 33132	DV

Annual Reports

Report Year	Filed Date
2002	06/18/2002
2003	06/04/2003
2004	08/05/2004

[Previous Filing](#)[Return to List](#)[Next Filing](#)

No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

[08/05/2004 -- ANN REP/UNIFORM BUS REP](#)
[06/04/2003 -- ANN REP/UNIFORM BUS REP](#)
[06/18/2002 -- COR - ANN REP/UNIFORM BUS REP](#)
[02/13/2001 -- ANN REP/UNIFORM BUS REP](#)
[03/01/2000 -- ANN REP/UNIFORM BUS REP](#)
[02/08/1999 -- ANNUAL REPORT](#)
[05/19/1998 -- ANNUAL REPORT](#)

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)[Corporations Help](#)

Paula Isler

From: Don Johnston [donj@regnumgroup.com]
Sent: Wednesday, July 28, 2004 2:46 PM
To: Paula Isler
Cc: Matthew Schulman
Subject: RE: TotalCom America Corporation (TX621)

Importance: High
Sensitivity: Confidential

Thank you Paula,

I released a request yesterday for all the information required to complete the RAF yesterday and I am expecting a reply shortly. I will keep you apprised of any delays but I feel we will complete it and take care of the matter in short order.

sincerely,

Don j

-----Original Message-----

From: Paula Isler [mailto:PIsler@PSC.STATE.FL.US]
Sent: Wednesday, July 28, 2004 1:33 PM
To: Don Johnston
Subject: RE: TotalCom America Corporation (TX621)

The 2003 Regulatory Assessment Fee is the only thing outstanding for this company to my knowledge. The fee is currently .0015% of a company's intrastate revenues or \$50 whichever is greater. Because payment is late, the penalty is 25% of the amount owed and the interest (if postmarked by August 27, 2004) is 7% of the amount owed. The interest charge continues to accrue by 1% for every 30 days it is late until the fee is paid.

Let me know if you have any other questions. Thanks.

Paula Isler
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6502-Phone
850-413-6503-Fax

From: Don Johnston [mailto:donj@regnumgroup.com]
Sent: Tuesday, July 27, 2004 4:52 PM
To: Paula Isler
Cc: Matthew Schulman
Subject: TotalCom America Corporation (TX621)

Paula,

A quick confirmation of our phone conversation this morning regarding the Regulatory Assessment Fee (RAF) for TotalCom America Corporation (TX621). Regnum was retained today, July 27, 2004 to provide TotalCom with assistance in resolving their delinquent RAF. Are there any additional details I should be made aware of prior to initiation of the work? If you have any questions or comments please contact me as listed below.

Thank you,

Don Johnston
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Provisioning and Regulatory Consultant
7999 NW 53 Street
Miami, FL 33166
Telephone: 305-468-1645
Facsimile: 305-468-8509

Cell: 786-229-2299
E-Mail: Reg@regnumgroup.com

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STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



DIVISION OF COMPETITIVE MARKETS &
ENFORCEMENT
BETH W. SALAK
DIRECTOR
(850) 413-6600

Public Service Commission

May 7, 2004

Mr. Antonio Izquierdo, Director
TotalCom America Corporation (TX621)
111 NE First Street, Suite 9000
Miami, FL 33132-2517

Dear Mr. Izquierdo:

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. Since payment has not been made, statutory penalty and interest charges are now applicable.

Our records show that the 2003 RAF return notice was mailed on December 12, 2003, and a delinquent notice was mailed on February 20, 2004. As of this date, our records do not show receipt of the RAF return or payment. A copy of the 2003 RAF return form is enclosed. If full payment, including penalty and interest charges, along with the RAF return form, are not received by May 28, 2004, a docket may be established. Your company may be fined or your certificate cancelled if you do not respond. 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 2003 RAF return form, either pay the 2004 RAF or provide a date certain it will be paid, and comply with the requirements of Rule 25-24.820, Florida Administrative Code, copy enclosed. Any unpaid RAFs, including penalty and interest charges, are turned over to collections. When returning payment and a copy of the completed 2003 Regulatory Assessment Fee return form, please use the enclosed blue envelope, which will insure prompt processing.

If you have any questions, please contact me at (850) 413-6502, by fax at (850) 413-6503, by e-mail at pisler@psc.state.fl.us, or by writing to me at the address below.

Sincerely,

A handwritten signature in cursive script that reads "Paula J. Isler".

Paula J. Isler, Research Assistant
Bureau of Service Quality

Enclosures

Competitive Local Exchange Company Regulatory Assessment Fee Return

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:
01/01/2003 TO 12/31/2003

Florida Public Service Commission

(See Filing Instructions on Back of Form)

TX621-03-0-R
 TotalCom America Corporation
 9th Floor
 111 N.E. First Street, Suite 9000
 Miami, FL 33132-2517
 CC: P. Isler

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 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.

TX621-03-0-D

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:

TX621 TotalCom America Corporation
9th Floor
111 N.E. First Street, Suite 9000
Miami, Florida 33132-2517

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature  Agent

Addressee

D. Is delivery address different from item 1? Yes
If 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 Number

(Transfer from service label)

7002 0860 0001 1761 0568

PS Form 3811, March 2001

Domestic Return Receipt

102595-01-M-1424

COMPANY IDENTIFICATION

Printed on 04/28/2004 at 13:57:24 by PJI

Complete Name: TotalCom America Corporation

Mailing Name: TotalCom America Corporation

Company Code: TX621 FEID Number: 65-0794532

RAF ACCOUNT FOR THE PERIOD 01/01/2003 THROUGH 12/31/2003

Reg. Date: 01/30/2002 Inactive Date:
 Service: CLX - Competitive 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 Wednesday, December 3, 2003 at 9:25 AM by David Brown

Period covered: 01/01/2003 through 12/31/2003 RAF rate:
 Operating rev: \$0.00 Gross intrastate rev: \$0.00
 Documents: Delinquent letter mailed on 02/19/2004
 RAF form mailed on 12/03/2003

MCD Company Information for TX621

Printed on 08/12/2004 at 09:30:29 by PJI

Company Code: TX621
Complete Name: TotalCom America Corporation
Mailing Name: TotalCom America Corporation
Certificate No(s): 8005
Status: Active
Regulation Date: 01/30/2002
Bankruptcy: No
Company Liaison #1: Antonio Izquierdo
Title: Director
Mailing Address: 100 North Biscayne Blvd., Suite 812
Miami, FL 33132-2310
Physical Location: 100 North Biscayne Blvd., Suite 812
Miami, FL 33132-2310
Phone: (305) 372-3400
Fax: (305) 372-9100
Related Dockets:
011342-TX Application for certificate to provide alternative local exchange telecommunications service by TotalCom America Corporation.

Section 1 - Bureau of Records Completed

Docket No. 041461-WU Date Docketed: 12/30/2004 Title: Application for transfer of Certificate No. 153-W in Pasco County from Floralino Properties, Inc. to Colonial Manor Utility Company.

Company: Colonial Manor Utility Company Floralino Properties, Inc.

Official Filing Date: _____ Expiration: _____

Last Day to Suspend: _____

Referred to:

CCA	CMP	(ECR)	EXE	FLL	GCL	MMS	RCA	SCR
		X			X			

("O" indicates OPR)

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module B1(c)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

Due Dates

OPR Staff

0 Current CASR revision level

Previous Current

	1.			
	2.			
	3.			
	4.			
	5.			
	6.			
	7.			
Staff Counsel	8.			
	9.			
OCRs	10.			
	11.			
	12.			
	13.			
	14.			
	15.			
	16.			
	17.			
	18.			
	19.			
	20.			
	21.			
	22.			
	23.			
	24.			
	25.			
	26.			
	27.			
	28.			
	29.			
Recommended assignments for hearing and/or deciding this case:	30.			
	31.			
	32.			
Full Commission _____ Commission Panel _____	33.			
Hearing _____ Staff _____	34.			
	35.			
Date filed with CCA: _____	36.			
	37.			
Initials OPR _____	38.			
Staff Counsel _____	39.			
	40.			

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	DV	ED		

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	DV	ED	

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____ Date: _____

Section 1 - Bureau of Records Complete

Docket No. 041462-TI Date Docketed: 12/30/2004 Title: Acknowledgment of registration as intrastate interexchange telecommunications company effective December 30, 2004, by The NTI Corporation d/b/a Chase Comm

Company: The NTI Corporation d/b/a Chase Comm

Official Filing Date: _____

Expiration: _____

Last Day to Suspend: _____

Referred to:

CCA	(CMP)	ECR	EXE	FLL	GCL	MMS	RCA	SCR
	X				X			

("O" indicates OPR)

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B13(a)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

		Due Dates	
		Previous	Current
<u>OPR Staff</u>	<input type="checkbox"/> Current CASR revision level		
	1.		
	2.		
	3.		
	4.		
	5.		
	6.		
	7.		
<u>Staff Counsel</u>	8.		
	9.		
	10.		
<u>OCRs</u>	11.		
	12.		
	13.		
	14.		
	15.		
	16.		
	17.		
	18.		
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	20.		
	21.		
	22.		
	23.		
	24.		
	25.		
	26.		
	27.		
	28.		
	29.		
Recommended assignments for hearing and/or deciding this case:	30.		
	31.		
	32.		
Full Commission _____ Commission Panel _____ Hearing _____ Staff _____	33.		
	34.		
	35.		
Date filed with CCA: _____	36.		
	37.		
Initials OPR _____ Staff Counsel _____	38.		
	39.		
	40.		

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Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	DV	ED		

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	DV	ED	

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the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is
assigned the full Commission decides the case.

Approved: _____
Date: _____

Section 1 - Bureau of Records Complete:

Docket No. 041463-TX Date Docketed: 12/30/2004 Title: Compliance investigation of TotalCom America Corporation for apparent violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Company: TotalCom America Corporation

Official Filing Date: _____

Expiration: _____

Last Day to Suspend: _____

Referred to:

CCA	(CMP)	ECR	EXE	FLL	GCL	MMS	RCA	SCR
	X				X			

("O") indicates OPR

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A18(a)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

Current CASR revision level

Due Dates
Previous Current

	1.			
	2.			
	3.			
	4.			
	5.			
	6.			
	7.			
Staff Counsel	8.			
	9.			
OCRs	10.			
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Recommended assignments for hearing and/or deciding this case:	30.			
	31.			
	32.			
Full Commission _____ Commission Panel _____	33.			
Hearing _____ Staff _____	34.			
	35.			
Date filed with CCA: _____	36.			
	37.			
Initials OPR _____	38.			
Staff Counsel _____	39.			
	40.			

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- Hearing Officer(s)

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Commissioners					ADM
BZ	DS	BD	DV	ED	

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Approved: _____
Date: _____