

REQUEST TO ESTABLISH DOCKET  
(Please Type)

Date

12/04/07

Docket No.

070711-77

1. Division Name/Staff Name:

Division of Competitive Markets and Enforcement/Curry

2. OPR:

Curry, CMP

3. OCR:

GCO

4. Suggested Docket Title:

Compliance investigation of NCOM Networks, LLC for apparent violation of Rule 25-24.470, F.A.C. Registration Required.

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):

NCOM Networks, LLC  
Attention: Mr. William Perez  
1001 NW 163rd Drive  
Miami, Florida 33169

RECEIVED-FPSC  
07 DEC -4 AM 10:29  
COMMISSION  
CLERK

2. Interested persons and their representatives (if any):

6. Check one:

Documentation is attached.

Documentation will be provided with recommendation.

COMMISSIONERS:  
LISA POLAK EDGAR, CHAIRMAN  
MATTHEW M. CARTER II  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

STATE OF FLORIDA



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

# Public Service Commission

September 17, 2007

**CERTIFIED MAIL**

7005 1160 0003 8789 9275

Facsimile 1-800-504-9461

Mr. William Perez  
NCOM Networks, LLC  
1001 NW 163rd Drive  
Miami, Florida 33169

Dear Mr. Perez:

On June 5, 2007, you contacted me concerning a customer complaint that was filed with the Commission against your company regarding the "Nation's Choice" prepaid calling card. After our telephone conversation, I faxed a copy of the complaint to you and requested that you respond by June 8, 2007. To date, I have not received a response. I have enclosed a copy of the information that was faxed to you on June 5, 2007. Please investigate the complaint, contact the customer, and provide a written response to the complaint. Your response should verify that the customer was contacted and that the complaint was resolved. Please submit your response no later than **October 2, 2007**. You may fax your response to me at (850) 413-6663 or you may respond by email to [kcurry@psc.state.fl.us](mailto:kcurry@psc.state.fl.us).

Also, during our telephone conversation you stated that your company, Reliable Telecard, was registered with the Commission as an interexchange telecommunications (IXC) company and was therefore authorized to provide prepaid calling card services in Florida. Furthermore, you stated that Reliable Telecard also operated under the names Ntera, Inc. (CLEC Certificate No. 7922) and Radiant Telecom, Inc. However, as I informed you during our conversation, I was unable to confirm that Reliable Telecard was indeed registered as an IXC with the Commission. In addition, our records also indicate that Ntera, Inc.'s CLEC certificate and Radiant Telecom, Inc.'s IXC registration were both cancelled in 2005. Therefore, neither company is authorized to provide telecommunications services in Florida. However, as I informed you, I was able to confirm that Ntera, Inc. is registered with the Commission as an IXC.

Since our last conversation, staff has determined that Reliable Telecard may also be operating under the names NCOM Network, LLC and TEL3. According to our records, both NCOM Network, LLC and TEL3 are not authorized to provide telecommunications services in Florida. TEL3's IXC registration and CLEC certificate were both cancelled in 1999. Because Reliable Telecard d/b/a Radiant Telecom, Inc. d/b/a NCOM Network, LLC d/b/a TEL3 provides

Mr. William Perez  
Page 2  
September 17, 2007

prepaid calling card services in Florida, the company will need to register and file a tariff with the Commission.

Rule 25-24.470(1), Registration Required, Florida Administrative Code, states:

No person shall provide intrastate interexchange telephone service without first filing an initial tariff containing the rates, terms, and conditions of service and providing the company's current contact information with the Division of the Commission Clerk and Administrative Services.

After you have completed the enclosed IXC Registration form, please submit it along with the company's tariff to the following address by **October 2, 2007**:

Florida Public Service Commission  
Office of Commission Clerk  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Please understand that if Reliable Telecard fails to respond to the Commission that it may be subject to penalties as prescribed by Section 364.285, Florida Statutes, which states:

The commission shall have the power to impose upon any entity subject to its jurisdiction under this chapter which 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 this chapter a penalty for each offense of not more than \$25,000, which penalty shall be fixed, imposed, and collected by the commission; or the commission may, for any such violation, amend, suspend, or revoke any certificate used by it. Each day that such refusal or violation continues constitutes a separate offense.

Therefore, to avoid potential penalties please submit all of the requested information no later than **October 2, 2007**. If you have any questions, you may contact me at 850-413-6662.

Sincerely,



Kiwanis L. Curry  
Certification and Enforcement Section

DOCUMENT NUMBER-DATE

10660 DEC-4 07

FPSC-COMMISSION CLERK


Enclosure

# SENDING CONFIRMATION

DATE : JUN-5-2007 TUE 16:00  
 NAME : PSC  
 TEL : 8504137077

PHONE : 18005049461  
 PAGES : 10/10  
 START TIME : JUN-05 15:55  
 ELAPSED TIME : 04' 49"  
 MODE : ECM  
 RESULTS : OK

FIRST PAGE OF RECENT DOCUMENT TRANSMITTED...

 <b>STATE OF FLORIDA</b> <b>PUBLIC SERVICE COMMISSION</b> 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-0850	June 5, 2007, 4:10 PM <b>To:</b> William Perez <b>Fax:</b> 1-800-504-9461 <b>From:</b> Kiwanis Curry <b>Voice:</b> 850-413-6662 <b>Fax:</b> 850-413-6663 <b>No. of Pages (Including Cover):</b> 10
<b>Re:</b> Complaint No. 728915	
<b>Notes:</b> Mr. Perez, <p>Per our telephone conversation, I am faxing to you a copy of the customer complaint. After you have reviewed the customer complaint, please investigate the complaint, contact the customer, and provide a written response to the complaint. Your response should be submitted to me and should verify that the customer was contacted and that the complaint was resolved. Please submit your response no later than <b>June 8, 2007</b>. You may fax your response to me at 850-413-6663 or you may respond by email to <a href="mailto:kcurry@psc.state.fl.us">kcurry@psc.state.fl.us</a>.</p> <p>In addition, during our phone conversation you mentioned that your company, Reliable Telecard, was registered with the Commission. However, as I explained during our telephone conversation, I was unable to find the company in our database. If Reliable Telecard plans to continue providing prepaid calling card services in Florida, the company will need to register and file a tariff with the Commission. Registration forms and other information needed to register with the Commission can be found on the Commission's website at <a href="http://www.psc.state.fl.us">www.psc.state.fl.us</a>. Please submit a completed DXC Registration form and tariff no later than <b>June 8, 2007</b>.</p> <p>When I asked if your company had a d/b/a you named Ntera, Inc. and Radiant Telecom, Inc. Our records indicate that the certificate and/or registration for both of those companies was cancelled in 2005. Therefore, neither company is authorized to provide services in Florida.</p> <p>I have also enclosed a copy of the Commission's rules regarding prepaid calling services for you to review. During our telephone conversation you stated that Texsa was not the network service provider of the calling card. Therefore, you will need to remove Texsa's name from the calling card.</p> <p>If you have any questions, you may reach me at 850-413-6662</p> <p>Sincerely,          Kiwanis L. Curry</p>	

DOCUMENT NUMBER - DATE  
**10660 DEC-4 08**  
 FPSC-COMMISSION CLERK

STATE OF FLORIDA



PUBLIC SERVICE COMMISSION

2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

June 5, 2007, 4:10 PM

To: William Perez

Fax: 1-800-504-9461

From: Kiwanis Curry

Voice: 850-413-6662

Fax: 850-413-6663

No. of Pages (Including Cover): 10

Re: Complaint No. 728915

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