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100297-TC

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DOCUMENT NUMBER: 047
05365 JUN 30 2010
FPSC-COMMUNICATIONS

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: PSC-10-0395-PAA-TC

Waterville Communications, Inc.
 3061 Sheridan Street
 Las Vegas NV 89102-7818

05056-10 100297-TC

2. Article Number
 (Transfer from service label)

7006 2760 0003 8796 8469

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Compliance investigation of PATS
Certificate No. 8486, issued to Waterville
Communications, Inc., for apparent second-
time violation of Rule 25-4.0161, F.A.C.,
Regulatory Assessment Fees;
Telecommunications Companies.

DOCKET NO. 100297-TC
ORDER NO. PSC-10-0395-PAA-TC
ISSUED: June 17, 2010

**NOTICE OF PROPOSED AGENCY ACTION ORDER IMPOSING PENALTIES AND
COLLECTION COSTS, AND REQUIRING PAYMENT OF DELINQUENT REGULATORY
ASSESSMENT FEES, OR CANCELLING PAY TELEPHONE SERVICE CERTIFICATE
FOR VIOLATION OF RULE 25-4.0161, FLORIDA ADMINISTRATIVE CODE**

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Pursuant to Rule 25-4.0161(10) and (11), Florida Administrative Code, telecommunications companies that fail to pay the Regulatory Assessment Fee, including any statutory late payment charges, within 15 days after receiving a delinquent notice, shall be automatically penalized \$500 for a first offense, \$1,000 for a second offense, and \$2,000 for a third offense. The penalty amounts include collection costs. If an entity fails to pay the Regulatory Assessment Fee in full, including any statutory late payment charges, along with the penalty amount, that entity's certificate shall be cancelled.

Pursuant to Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee if the certificate was active during any portion of the calendar year. Pursuant to Rule 25-4.0161(2), Florida Administrative Code, the form and applicable fees are due to the Florida Public Service Commission by January 30 of the subsequent year. Pursuant to Section 350.113(4), Florida Statutes, the Regulatory Assessment Fee return forms, for the period of January 1 through December 31, are mailed to entities at least 45 days prior to the date that payment of the fee is due.

The Division of Administrative Services advised that Waterville Communications, Inc. failed to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. In addition, Waterville Communications, Inc. has had one prior docket for the same rule violation in which the company paid the penalty imposed to resolve its docket. Waterville Communications, Inc. has not paid the 2009 Regulatory Assessment Fee, statutory late payment charges, nor a \$1,000 penalty and collection costs.

DOCUMENT NUMBER-DATE

05056 JUN 17 2010

FPSO-COMMISSION CLERK

Accordingly, we hereby find it appropriate to cancel Waterville Communications Inc.'s pay telephone company (PATS) certificate for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, unless the entity pays a penalty and cost of collection, together totaling \$1,000, and remits the past due Regulatory Assessment Fees, along with any accrued statutory late payment charges, to the Florida Public Service Commission.

If this Order is not protested, Waterville Communications, Inc.'s PATS Certificate shall be cancelled. If the entity pays the penalty and cost of collection, together totaling \$1,000, and remits any past due Regulatory Assessment Fees, along with any accrued statutory late payment charges, prior to the expiration of the Proposed Agency Action Order, then Waterville Communications, Inc.'s PATS certificate will remain active. If the entity fails to protest the Order or pay the penalty and cost of collection, together totaling \$1,000, and fails to remit any past due Regulatory Assessment Fees, along with any accrued statutory late payment charges, prior to the expiration of the Proposed Agency Action Order, then the entity's PATS certificate shall be cancelled administratively, and the collection of any past due Regulatory Assessment Fees shall be referred to the Florida Department of Financial Services for further collection efforts. If Waterville Communications, Inc.'s PATS certificate is cancelled in accordance with this Commission's Order, the company shall immediately cease and desist providing pay telephone service in Florida. This docket shall be closed administratively either upon receipt of the payment of the penalty and cost of collection, together totaling \$1,000, and any past due Regulatory Assessment Fees, along with any accrued statutory late payment charges, or upon cancellation of Waterville Communications, Inc.'s PATS certificate. If the company's PATS certificate is cancelled in accordance with this Order and it subsequently decides to reapply as a telecommunications company, Waterville Communications, Inc. shall be required to first pay the penalty and cost of collection, together totaling \$1,000 and any outstanding fees, including accrued statutory late payment charges. We are vested with jurisdiction over these matters pursuant to Sections 350.113, 364.285, 364.336, and 364.3375, Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Waterville Communications, Inc. shall pay a penalty and cost of collection, together totaling \$1,000, and any past due Regulatory Assessment Fees, including any statutory late payment charges, to the Florida Public Service Commission for failure to comply with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, by the end of the protest period. The cost of collection will be subtracted from any monies collected as payments (full or partial) of the penalty and cost of collection, and will be deposited, along with the past due Regulatory Assessment Fees, in the Florida Public Service Commission Regulatory Trust Fund, pursuant to Section 350.113, Florida Statutes. The statutory late payment charges and any portion of the penalty exceeding the cost of collection will be remitted to the Florida Department of Financial Services for deposit in the State of Florida General Revenue Fund, pursuant to Section 364.285(1), Florida Statutes. It is further