

Diamond Williams

From: Jack C. Moyle [cmoyle@kagmlaw.com]
Sent: Friday, May 06, 2011 4:36 PM
To: Filings@psc.state.fl.us
Cc: Adam Teitzman; Larry Harris; Beth Salak
Subject: Docket Nos. 100340-TP and 110082-TP; Letter to Ann Cole
Attachments: Letter to Ms. Cole 05.06.11.pdf

In accordance with the electronic filing procedures of the Florida Public Service Commission, the following filing is made:

a. The name, address, telephone number and email for the person responsible for the filing is:

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b. This filing is made in Docket Nos. 100340-TP and 110082-TP.

c. The document is filed on behalf of The Companies.

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d. The total pages in the document are 2 pages.

e. The attached document is Letter to Ann Cole.

Jack C. Moyle
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DOCUMENT NUMBER-DATE

03186 MAY-6 =

5/6/2011

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Keefe, Anchors
Gordon & Moyle

May 6, 2011

Via Electronic and U.S. Mail

Ms. Ann Cole, Director
Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket No. 100340-TP; Investigation of Associated Telecommunications Management Services, LLC (ATMS) companies for compliance with Chapter 25-24, F.A.C., and applicable lifeline, eligible telecommunications carrier, and universal service requirements
Docket No. 110082-TP; Initiation of show cause proceedings against American Dial Tone, Inc., All American Telecom, Inc., Bellerud Communications, LLC, BLC Management LLC d/b/a Angles Communications Solutions, and LifeConnex Telecom LLC for apparent violations of Chapter 364, F.S., Chapters 25-4 and 25

Dear Ms. Cole:

Today we filed a Motion for Approval of Offer of Settlement Agreement in the above docket. Due to a scrivener's mistake, there is an error on page 4 of the Framework for Settlement as originally filed. Please substitute the attached page 4 of the Framework for Settlement in the document as originally filed.

Thank you for your assistance. Please contact me with any questions.

Sincerely,

Vicki Gordon Kaufman
Vicki Gordon Kaufman

Encl.

cc: Adam Teitzman
Larry Harris
Beth Salak

850.681.3828
850.681.3788 fax
118 N. Gadsden Street
Tallahassee, Florida 32301

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with this Framework on a going-forward basis.

Payment to General Revenue Fund

- Within fourteen (14) calendar days of the Commission's issuance of a final non appealable order approving this Framework, the Companies will begin payment of \$4 million to the General Revenue Fund.
- For the first two (2) years of the Framework, such amount shall be paid in equal installments of \$250,000 per quarter. The first payment shall be made within fourteen (14) calendar days of the Commission's issuance of a final order non appealable order approving this Framework. Subsequent payments for the first two (2) years of the Framework shall be made 90 days after each prior payment.
- After eight (8) quarterly payments, further payments shall be suspended pending a report by the Staff concerning the Companies' compliance with this Framework. The report may include, at the discretion of the Staff, the results of an audit as described in the Framework. If the Staff concludes and the Commission finds that the Companies have materially complied with the Framework, further payments will remain suspended pending the Companies' continued compliance with the Framework. If the Commission finds that the Companies have not materially complied with the Framework, regular quarterly payments will resume, and the Commission may also direct that all or part of any suspended payments will become due and payable. If, at the conclusion of the Framework period, the Staff reports and the Commission finds that the Companies have materially complied with the Framework, the suspended payments will be forgiven.
- In the event the Companies fail to meet any payment date contained in the final order, and Staff and the Companies cannot reasonably agree otherwise, Staff shall be administratively authorized to cancel the Companies' certificate, absent good cause shown by the Companies to the Commission.

Assessment Plan

- If the Companies fail to comply with a rule or regulation, the Companies shall meet and confer with Staff within seven (7) days of notification from Staff that it is alleged that a violation has occurred. If the Companies agree that a violation has occurred, they shall have a fourteen (14) calendar days to remedy such violation, absent good cause shown that such violation cannot be remedied within that time period. Further, the Companies shall pay the appropriate assessment amount listed in Attachment 1.
- If Staff and the Companies do not agree that a violation has occurred, the procedure set forth in Attachment 2 shall be used to resolve the dispute.

Term of Agreement

- This Framework shall be in effect for four (4) years from the date of the Commission's