

DEPOSIT DATE  
D049 . DEC 22 1998

Jill Butler,  
Director Regulatory Affairs  
Cox Florida Telecom, L.P.  
4916 Cox Communications  
4886 Village Avenue  
Norfolk, Virginia 23502  
(757) 388-4524  
(757) 388-4500 fax



December 18, 1998

**FEDERAL EXPRESS**

981232-

Division of Records and Reports  
Florida Public Service Commission  
2540 Shumard Oak Blvd  
Tallahassee, FL 32399-0850

Enclosed is a payment of \$500.00 for the TWC Cable Partners, Order No. PSC-98-1702-AS-TA.  
If you have any questions please call me at 757/369-4524.

Sincerely,

ACK \_\_\_\_\_  
AEA \_\_\_\_\_  
APP \_\_\_\_\_  
CAG \_\_\_\_\_  
CNC \_\_\_\_\_  
CGR \_\_\_\_\_  
EAL \_\_\_\_\_  
LEG \_\_\_\_\_  
LWR \_\_\_\_\_  
CND \_\_\_\_\_  
RCH \_\_\_\_\_

*Jill Butler (ss)*  
Jill Butler  
Director, Regulatory Affairs

DOCUMENT RECEIVED DATE  
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MAILED 1

STEVE GELMINESON 07-08  
COX COMMUNICATIONS INC.  
1206 LA VISTA AVE  
PENSACOLA, FL 32526

016411871280 104  
9-1710

Date 12/21/98

Pay to the order of Florida Public Service Commission 500.00  
Five hundred \_\_\_\_\_ Dollars

FIRST CHICAGO  
THE First National Bank of Chicago  
Chicago, Illinois 60606

NOT VALID FOR OVER \$1,000.00

For PSC-98-1702-AS-TA *Krumm*

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Bojo Isler

DEPOSIT                      DATE  
D049                      DEC 22 1998

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Director Regulatory Affairs  
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Sincerely,

*J. Butler (ss)*  
Jill Butler  
Director, Regulatory Affairs

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Butler 15200

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of  
Alternative Access Vendor  
Certificate No. 4033 issued to  
TWC Cable Partners for violation  
of Rule 25-4.0161, F.A.C.,  
Regulatory Assessment Fees;  
Telecommunications Companies.

DOCKET NO. 981232-TA  
ORDER NO. PSC-98-1702-AS-TA  
ISSUED: December 15, 1998

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.

ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

TWC Cable Partners (TWC Cable) currently holds Certificate of Public Convenience and Necessity No. 4033, issued by the Commission on June 13, 1995, authorizing the provision of alternative access vendor service. The Division of Administration advised our staff by memorandum that TWC Cable had not paid the regulatory assessment fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year 1997, nor statutory penalties and interest charges for late RAFs payments for the year 1997.

Under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual RAF of \$50 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. All entities that apply for certification receive a copy of our rules governing alternative access vendor service and an affidavit in which the applicants attest that the rules have been received and understood by the applicant. This affidavit must be attached to the application in order for the

ORDER NO. PSC-98-1702-AS-TA  
DOCKET NO. 981232-TA  
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application to be processed. The RAF form was mailed to TWC Cable in December, 1997, for the period of January 1, 1997, through December 31, 1997. Our correspondence regarding the RAFs was signed for and delivered to TWC Cable on December 15, 1997.

After this docket was opened, our staff received a call from Ms. Jill Butler, TWC Cable's liaison. She stated that the company would pay all the past due charges and proposed a settlement offer. TWC Cable paid all the past due statutory penalties and interest charges, and submitted a settlement offer. TWC Cable agreed to pay future regulatory assessment fees in a timely manner and contribute \$500 to the State General Revenue Fund.

In previous cases, we have accepted a \$100 settlement in lieu of the cancellation of the certificate or the full payment of the fine. Since this is the second docket to be opened against TWC Cable for the same rule violation, we believe that the terms of the settlement agreement represent a fair and reasonable resolution of this matter. Accordingly, we hereby accept the settlement offer. TWC Cable must comply with these requirements within five business days from the date this Order becomes final. The contribution will be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Upon remittance of the \$500 contribution, this docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that TWC Cable Partners' settlement proposal summarized in the body of this Order is hereby approved. It is further

ORDERED that this docket shall remain open pending receipt of the \$500 contribution. The contribution will be transmitted to the Comptroller for deposit in the State of Florida General Revenue Fund. It is further

ORDERED that upon receipt of the \$500 contribution, this docket shall be closed.

ORDER NO. PSC-98-1702-AS-TA  
DOCKET NO. 981232-TA  
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By ORDER of the Florida Public Service Commission this 15th  
day of December, 1998.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: s/ Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

This is a facsimile copy. A signed  
copy of the order may be obtained by  
calling 1-850-413-6770.

( S E A L )

KMP

**NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW**

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.