

REQUEST TO ESTABLISH DOCKET

(Please Type)

| | | | |
|-------|-----------|-------------|-------------|
| Date: | 8/23/2004 | Docket No.: | 040925 - 77 |
|-------|-----------|-------------|-------------|

| | |
|------------------------------|---|
| 1. Division Name/Staff Name: | Division Of Competitive Markets & Enforcement/Isler |
|------------------------------|---|

| | |
|---------|---|
| 2. OPR: | Division Of Competitive Markets & Enforcement |
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| 3. OCR: | Office Of The General Counsel |
|---------|-------------------------------|

| | |
|----------------------------|---|
| 4. Suggested Docket Title: | Compliance investigation of TELECUBA, INC. for apparent violation of Section 364.336, Florida Statutes. |
|----------------------------|---|

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):

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

| | |
|--|--|
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| | |
| | |

6. Check one:

Documentation is attached.

Documentation will be provided with recommendation.

DOCUMENT NUMBER-DAT

09218 AUG 23 8

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

June 10, 2004

Mr. Luis Coello, President
TELECUBA, INC. (TJ568)
PO Box 10469
Miami, FL 33101-0469

Dear Mr. Coello:

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 July 2, 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 25-24.474, 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
TMS #1383

Interexchange Company Regulatory Assessment Fee Return

STATUS:

- Actual Return
- Estimated Return
- Amended Return

Florida Public Service Commission
(See Filing Instructions on Back of Form)

TJ568-03-0-R
 TELECUBA, INC.
 P. O. Box 10469
 Miami, FL 33101-0469

P. Isler

FOR PSC USE ONLY

Check# _____

\$ _____ 0603001
 _____ 003001

\$ _____ P
 _____ 0603001
 _____ 004011

\$ _____ I

Postmark Date _____
 Initials of Preparer _____

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

Please Complete Below If Official Mailing Address Has Changed

| | | | |
|-------------------|-----------|--------------|-------|
| (Name of Company) | (Address) | (City/State) | (Zip) |
|-------------------|-----------|--------------|-------|

| LINE NO. | ACCOUNT CLASSIFICATION | FLORIDA GROSS OPERATING REVENUE | INTRASTATE REVENUE |
|----------|--|------------------------------------|--------------------|
| 1. | Long Distance Services | _____ | \$ _____ |
| 2. | Access Services | _____ | _____ |
| 3. | Private Line Services | _____ | _____ |
| 4. | Leased Facilities & Circuits Services | _____ | _____ |
| 5. | Miscellaneous Services | _____ | _____ |
| 6. | TOTAL Telephone Services | \$ _____ | \$ _____ |
| 7. | LESS: Amounts Paid to Other Telecommunications Companies* (see "2. Fees" on back) | (_____) | (_____) |
| 8. | TOTAL REVENUES For Regulatory Assessment Fee Calculation | _____ | _____ |
| 9. | Regulatory Assessment Fee Due (Multiply Line 8 by 0.0015) | _____ | _____ |
| 10. | Penalty for Late Payment (see "3. Failure to File by Due Date" on back) | _____ | _____ |
| 11. | Interest for Late Payment (see "3. Failure to File by Due Date" on back) | _____ | _____ |
| 12. | TOTAL AMOUNT DUE | _____ | \$ _____ |

* These amounts must be intrastate only and must be verifiable.

AS PROVIDED IN SECTION 364.336, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50

CURRENT COMPANY STATUS

() Facilities-Based Carrier () Reseller () Call Aggregator
 () Alternate-Operator Service () Rebiller () Other: _____

BILLING INFORMATION

Complete below if billing agent if other than yourself.

_____ (Name) _____ (Address: City/State/Zip) _____ (Telephone)

What is the total amount of customer deposits collected?
 Amount: \$ _____ for 19 _____

What is the total amount of bond held (if applicable)?
 Amount: \$ _____ Expires: _____

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. _____

25-24.474 Cancellation of a Certificate.

(1) The Commission may on its own motion cancel a company's certificate for any of the following reasons:

- (a) Violation of the terms and conditions under which the authority was originally granted;
- (b) Violation of Commission rule or order; or
- (c) Violation of Florida Statutes.

(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:

- (a) Statement of intent and date to pay Regulatory Assessment Fee.
- (b) Statement of why the certificate is proposed to be cancelled.
- (c) A statement on treatment of customer deposits and final bills.
- (d) Proof of individual customer notice regarding discontinuance of service.

(3) Cancellation of a certificate shall be ordered subject to the holder providing the information required by subsection (2).

Specific Authority: 350.127(2), F. S.

Law Implemented: 350.113, 350.127(1), 364.285, 364.337, 364.345, F.S.

History: New 2/23/87, amended 3/13/96.

State of Florida
Public Service Commission

2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

CERTIFIED MAIL

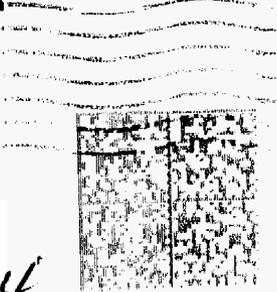


RETURN TO SENDER

RETURNED TO SENDER
UNCLAIMED

7002 0860 0001 1759 8743

Natej 2-25-04



February 20, 2004

TJ568-03-0-D
TELECUBA, INC.
P. O. Box 10469
Miami, FL 33101-0469

US POSTAGE
\$04.42

33101+0469-0850



STATE OF FLORIDA

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



OFFICE OF GENERAL COUNSEL
RICHARD D. MELSON
(850) 413-6199

Public Service Commission

February 20, 2004

TJ568-03-0-D
TELECUBA, INC.
P. O. Box 10469
Miami, FL 33101-0469

Dear Certificate Holder:

The Division of the Commission's Clerk and Administrative Services has forwarded your account to our office to address the nonpayment of the Regulatory Assessment Fees (RAFs) required by Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code, for the year 2003, which was due January 30, 2004. The RAFs return form was mailed to you on **December 15, 2003**, and to date, Commission records reflect that payment has not been received.

According to Florida Law, you are required to add interest charges at 12% per annum, and a 5% penalty for each 30-day period or fraction thereof, beyond the due date, up to a maximum of 25% in addition to the delinquent amount due. In addition, pursuant to Section 364.285, Florida Statutes, the Commission is authorized to impose upon any entity subject to its jurisdiction a penalty of not more than \$25,000 for each offense, if such entity 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 Chapter 364.

Utilities are charged with knowledge of our rules and statutes. Moreover, it is general Commission practice that all utilities that apply for **Interexchange Telephone** certificate receive a copy of all applicable rules. Further, in accordance with Section 364.335, Florida Statutes, as part of the application process, utilities provide an affidavit indicating that they have read and understood the applicable rules.

If you wish to request another form, please contact David Brown or Valorie Moore at the number below. The payment should be identified with the company code and the company's name. Failure to provide payment within **15 days of this notice** will result in the establishment of a docket to address your failure to return the RAFs form and pay RAFs in accordance with Section 364.336, Florida Statutes, and Rule 25-4.0161, Florida Administrative Code. As specified above, pursuant to Section 364.285, Florida Statutes, the Commission may impose a fine or cancel your certificate. Therefore, it is important that you address this matter now.

If you have paid your fees, please provide us with your check number and the date that it was paid.

Should you have any questions concerning this letter please contact **David Brown** at (850) 413-6267 or **Valorie Moore** at 413-6275 or via Internet e-mail at dbrown@psc.state.fl.us or vmoores@psc.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard D. Melson".

Richard D. Melson
General Counsel

KMP

Enclosure

cc: David Brown, Bureau of Administrative Services/Fiscal Services Section
Valorie Moore, Bureau of Administrative Services/Fiscal Services Section

MCD Company Information for TJ568

Printed on 08/20/2004 at 15:40:43 by PJI

Company Code: TJ568
Complete Name: TELECUBA, INC.
Mailing Name: TELECUBA, INC.
Certificate No(s): 8055
Status: Active
Regulation Date: 04/16/2002
Bankruptcy: No
Company Liaison #1: Luis Coello
Title: President
Mailing Address: P. O. Box 10469

Physical Location: Miami, FL 33101-0469
444 Brickell Avenue, Suite 700

Phone: Miami, FL 33131-2441
(305) 371-5810
Fax: (305) 371-5810

Related Dockets:

960217-TI **Initiation of show cause proceedings against Telecuba, Inc. for violation of Rule 25-24.470, F.A.C., Certificate of Public Convenience and Necessity Required.**

011008-TI **Application for certificate to provide interexchange telecommunications service by TELECUBA, INC.**