

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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COMMISSION
CLERK

DATE: September 23, 2004

TO: Director, Division of the Commission Clerk & Administrative Services (Bayó)

FROM: Office of the General Counsel (Moore) *CTM*
Office of the Executive Director (Barr, Hill) *AA*
Division of the Commission Clerk & Administrative Services (Sharma) *MS*
Division of Competitive Markets & Enforcement (Majhot) *DM*
Division of Economic Regulation (Hewitt) *CBA*

RE: Docket No. 040436-TP – Proposed amendment of Rule 25-4.0161, F.A.C.,
Regulatory Assessment Fees; Telecommunications Companies.

AGENDA: 10/05/04 – Regular Agenda – Interested Persons May Participate

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\GCL\WP\040436.RCM.DOC

Case Background

Sections 350.113 and 364.336, Florida Statutes, require regulated companies under the Commission's jurisdiction to pay fees to the Commission based upon their gross operating revenues. Section 350.113(3) further requires that such regulatory assessment fees (RAF) shall, to the extent practicable, be related to the cost of regulation. The maximum rate authorized by statute for telecommunications companies is .25 percent of the companies' gross operating revenues derived from intrastate business. § 364.336, Fla. Stat. (2003). Rule 25-4.0161, F.A.C., currently sets the RAF rate at .15 percent of the companies' gross operating revenues derived from intrastate business.

A notice of rule development to increase the telecommunications company RAF rate to .23 percent of gross operating revenues was issued in May 2004. A workshop was conducted by staff on June 8, 2004, to discuss the need for additional revenues to cover the cost of regulating the industry. Representatives of BellSouth, Verizon, Sprint, AT&T, GT Com, Alltel

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Communications, and TDS Telecom participated in the workshop. On June 14, 2004, the Florida Telecommunications Industry Association (FTIA) submitted a request for information about the RAF increase, including information regarding the Commission's budget, staffing, and time and cost allocations. Staff provided the information on June 21, 2004. Staff also held a meeting with company representatives on July 1, 2004, to answer any further questions the companies had about the proposed increase. A workshop was conducted by Commissioners on August 18, 2004, to assess methods for reducing and/or recovering costs of regulating telecommunications companies.

As directed by the Commission at the workshop, staff has met with industry representatives, considered and analyzed suggestions from the workshop, revisited its own plan for internal cost cutting methods, and explored alternative revenue sources in an attempt to minimize the need for increasing RAFs. This recommendation reflects the results of those efforts.

Discussion of Issues

Issue 1: Should the Commission amend Rule 25-4.0161, F.A.C., to increase the regulatory assessment fee rate paid by telecommunications companies?

Recommendation: Yes. The Commission should amend Rule 25-4.0161, F.A.C., to increase the regulatory assessment fee rate to .20 percent of gross operating revenues derived from intrastate business. (Moore, Mailhot, Sharma)

Staff Analysis: Rule 25-4.0161, F.A.C., currently sets the RAF rate at .15 percent of the companies' gross operating revenues derived from intrastate business. Based upon the most recent projection of costs for Fiscal Year 2005-2006, RAFs collected from the telecommunications industry at the current rate are expected to be at least \$3.1 million less than the cost of regulating the industry. A number of diverse factors have converged to create the current deficit and the need for the Commission to consider increasing the RAF rate. Those factors are both external and internal. External factors include changes in state and federal law, resulting structural changes to the industry, a Florida Supreme Court decision excluding directory advertising revenues from RAFs, a decline in telephone company intrastate revenues subject to the fee and changes in the overall state budget process. Internally the Commission has changed the way it allocates employees' work time to more accurately reflect work time spent on the different industries. The following discussion details these factors, describes efforts to control costs, and provides the calculation of costs and the required RAF rate.

The recommended rule and revised forms are **Attachment 1**. The Statement of Estimated Regulatory Cost is **Attachment 2**.

I. Industry and Workload Changes Due to Statutory Revisions

Due to the changes in Florida Statutes in 1995 and the federal law in 1996 that were made in order to open the local telecommunications market to competition, the structure of the telecommunications industry has changed. The workload at the Commission has also changed dramatically. Prior to 1995, the 14 local exchange companies were rate base regulated and were subject to earnings reviews and occasional rate cases. Based on the statutory changes, the Commission eliminated all of its rules and regulations dealing with earnings regulation for the price-capped companies and no longer required earnings surveillance, depreciation studies, or other rate of return reports. However, with the new statutory requirements came new responsibilities related to facilitating the development of competition in the local exchange market.

As of the end of May 2004, there were 10 incumbent local exchange companies (ILECs) and 401 competitive local exchange companies (CLECs) certificated in Florida. In addition, there were 470 pay telephone service (PATs) providers, 42 alternative access vendors (AAVs) and 31 shared tenant service (STS) providers certificated as well as 686 interexchange companies (IXCs) registered in Florida.

While maintaining evolving retail responsibilities such as tariffs, consumer complaints, and quality of service, the Commission has been charged with wholesale responsibilities as well. On the wholesale side, the Commission is responsible for interconnection agreements: petitions requesting arbitrations; adoption of agreements; and complaints about rates, terms, and conditions in current agreements. As market players become more sophisticated and proficient, issues are becoming more complex, technical and specific, and thus more time consuming. The Commission also deals with the complex issues involved with setting unbundled network rates, collocation terms and conditions, and barriers to competition. Numbering issues also arise as area code relief and number portability are needed due to increased demand and to enhance competition.

As the Commission's work has evolved to reflect an emerging competitive telecommunications environment, the workload has not diminished. Consumer complaints for this industry have increased from an annual total of 12,592 on June 30, 2000, to 20,233 as of June 30, 2004. While parties are always encouraged to negotiate issues and resolve them without Commission intervention, complex issues are still litigated before the Commission, and many are appealed to the courts. During the foreseeable future, workload appears to be heavy for the telecommunications industry due in part to issues surrounding the Triennial Review Order (TRO), the Federal Communications Commission's (FCC) unbundling rules, and pending court challenges. Moreover, workload associated with arbitrations and complaints is greater now than in the past several years and staff believes this workload may increase as agreements expire and TRO issues arise. In addition, staff does not know what role the states will play in the final rules that will be promulgated by the FCC. Traditionally, there has been a significant role for the states during implementation of FCC rules.

While current workload remains relatively heavy it should be noted that several events already in motion at the state and federal level provide a reasonable basis for anticipating some abatement of workload in many areas of telecommunication oversight over the next several years. Commission staff will closely monitor the level of RAF revenue necessary to conduct the required regulatory oversight to ensure that any appropriate RAF rate adjustments are brought to the Commissioners' attention.

II. Factors Affecting RAF Collections and Regulatory Costs Assigned to Telecommunications

During the 5-year period from Fiscal Year 2000-2001 through 2005-2006, telecommunications RAF revenue is expected to decline by over \$2.5 million. This decline has two primary causes. First, in February 2002, the Florida Supreme Court ruled that directory advertising revenue billed and collected by the local exchange companies (LECs), but booked by the companies' directory affiliates, could not be imputed to the LECs for RAF purposes. Verizon Florida, Inc. v. Jacobs, 810 So. 2d 906 (Fla. 2002). This decision resulted in a loss of \$1.5 million in annual RAF revenues--revenues that prior to that decision allowed the Commission to cover the cost of continuing regulatory functions and workload associated with the transition to a competitive market. Second, the revenues of the companies have declined due to changes in the telecommunications industry, including a loss of business to other providers such as cellular companies that do not currently pay RAFs. Annual RAF revenues have declined by over \$1.0 million due to this decline in the companies' revenues.

In addition, in recent years, liquidation of the Commission's trust fund reserves and loss of interest earned on the trust fund balance have made it more difficult, if not impossible, for the Commission to absorb fluctuations in RAF collections. In the past, the Commission was able to delay increases in the RAF because of the trust fund reserve.

Finally, the Commission changed its cost allocations beginning July 1, 2003, to more accurately reflect the amount of time being spent by Commission employees in the regulation of each industry. The change in recording of employee work time was partially in response to a finding by the Auditor General:

Finding No. 3: Improvements in accounting for employee work time would promote a more equitable distribution of regulatory costs to the industries or sub-industries.

(Auditor General Report No. 2004-031: Public Service Commission Regulatory Assessment Fee and Other Matters - Operational Audit August 2003.) The report noted that the Division of Consumer Affairs was significantly under-allocating its time to telecommunications. Since then, changes have been made to time reporting by Consumer Affairs to more accurately capture time worked. As a result of more accurate allocation of time worked, the total amount of time and Commission costs being allocated to telecommunications increased from 39.9 percent in Fiscal Year 2002-2003 to a projected 43.11 percent for Fiscal Year 2005-2006. This resulted in an additional \$.8 million in costs being allocated to the telecommunications industry.

III. Internal Efforts to Control Costs

Past Efforts

During the 7-year period from Fiscal Year 1998-1999 through 2005-2006, the Commission's expenses will have actually *decreased* by 1.3 percent. In comparison, inflation has been 14.6 percent over this same time frame. In Fiscal Year 1994-1995, the number of Commission employees per million Florida residents was 28.5. For projected Fiscal Year 2005-2006, this figure declines to 18.8. **Attachment 3** shows how this ratio has declined annually since Fiscal Year 1999-2000. The number of Commission employees also compares favorably to other states. We are the eleventh lowest in terms of employees per access line and twelfth lowest in terms of employees per million residents. (See **Attachments 4 and 5**.)

Eighty percent of the Commission's operating budget consists of salaries and benefits. Another 13 percent is directly related to employees and represents costs such as rent, telephone, and computer expenses. Additional amounts over which the Commission has little or no control include insurance and human resources management outsourcing costs.

Over the past several years the Commission has streamlined its processes, eliminated inefficiencies, and, as a result, reduced the number of staff. From Fiscal Year 2000-2001 through Fiscal Year 2004-2005, the Commission has reduced staffing by 37.5 Full-Time Equivalent positions (FTEs) which is more than a nine percent reduction in staff. For Fiscal Year 2004-2005, the Commission reduced its staff by 18 FTEs with the aim of reducing costs, improving efficiency and achieving fiscal balance. To further reduce costs this fiscal year, the

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Commission is holding positions vacant in areas where workload has been or will be reduced. For Fiscal Year 2005-2006, a further reduction of 20.5 FTEs was approved at the September 13 Internal Affairs meeting for a total decrease of 58 positions or 14.5 percent since Fiscal Year 2000-2001.

Current Budget Submission

Of the approved staffing reductions for Fiscal Year 2005-2006, 4.5 FTEs come from streamlining the regulation of water and wastewater companies and 4 FTEs from reducing regulatory oversight of telecommunications companies and by implementing a variety of efficiency measures. Also included are corresponding reductions in administrative support staff (2 FTEs) and technical support staff (2 FTEs). In addition, with the loss of jurisdiction over several Class A water and wastewater utilities and our continued efforts to streamline the regulatory process, we are closing the Orlando district office, whose staff primarily does water and wastewater work, and reassigning the remaining work. Closing that office results in the reduction of an additional 8 FTEs. In addition to these issues that involve staff reductions, next fiscal year's proposed budget also includes a reduction of \$80,000 in the Other Personal Services (OPS) category, which is used for items such as temporary employees, contractual services, and court reporters, and a reduction of \$135,295 resulting from giving up certain leased office space in the Betty Easley Conference Center.

Future Efforts

In future years, staff will continue to identify and propose revisions to regulatory functions and staffing consistent with the Commission's statutory responsibilities in all industries. For example, when the first rate adjustment from the access charge reductions becomes effective, we can determine when an ILEC will reach parity and can elect to have nonbasic treatment for its rates, at which time quality of service oversight may be reduced. At that point, all things held constant, workload and, in turn, the number of staff may be reduced. Further, we can estimate when the major ILECs may petition to be regulated only to the degree that CLECs are regulated as provided for in Section 364.051, Florida Statutes. These elections will potentially further reduce our workload and staffing needs.

Cross-training of staff will continue to be an important tool for the Commission to be able to meet its peak workload demands and will be key in transitioning staff away from functions being eliminated. Commission staff will be trained to perform a number of tasks so that they can be moved to areas where they are most needed to meet the Commission's statutory responsibilities and deadlines.

Beyond staffing, management plans continued cost control efforts in all expense categories and continued evaluation and elimination of any nonessential items. For example, we are pursuing every avenue to continue to reduce office space expense. Currently, we plan to vacate as much additional space as possible in the Betty Easley Conference Center.

Finally, at the August 2004 workshop, the issue of charges for copies of documents was discussed as another method of cost recovery. The Commission currently charges \$.05 per page

for one and two-sided copies of documents (including transcripts which are public records subject to the same copying charges once they are filed with an agency). Florida law, however, allows charging up to \$.15 per page for one-sided copies and up to \$.20 cents for a two-sided copy if the copy is not more than 14 inches by 8.5 inches. The actual cost of duplication may be charged for all other copies. The actual cost of duplication does not include the labor cost or overhead cost associated with providing copies unless extensive use of information technology resources or extensive clerical or supervisory assistance is required. §119.07(1)(a), Fla. Stat. In Fiscal Year 2002-2003, the Commission collected just over \$12,000 in copy charges at \$.05 per page. Increasing the per page copy charge could result in increased revenue of at least \$24,000. However, because most Commission documents are available online and an increased price for hardcopy documents may well lead to a reduction of requests, we recognize revenues may be significantly less than the estimated \$24,000. We intend to review this possibility further.

IV. Calculation of Telecommunication Regulatory Costs which must be Funded

The RAF rate for telecommunications companies was last changed effective January 1, 1991, when it was increased from .125 percent to .15 percent of gross intrastate operating revenues. The .15 percent rate was calculated based on projected telecommunications RAF revenues and Commission expenses. Using a similar method to calculate the rate here results in a RAF rate of .21 percent. Staff has projected that the amount of telecommunications revenue that is subject to RAF will decrease during the next fiscal year. The cost of regulating the telecommunications industry is based on the Commission's proposed Fiscal Year 2005-2006 budget. The projected amount of total Commission expenses to attribute to telecommunications companies is calculated by multiplying the projected total expenses by the percentage of Commission time spent on telecommunications issues. The 43.11 percent of Commission time spent on telecommunications is based on the actual results from the Time Direct system for the period April 2004 through June 2004.

Projected total Commission expenses	\$26,198,784
Telecommunications percentage	x <u>43.11 percent</u>
Telecommunications cost	\$11,294,295

V. Proposed Change to RAF Rate

Rule 25-4.0161, F.A.C., currently sets the RAF rate at .15 percent of the companies' gross operating revenues derived from intrastate business. Based upon the most recent projection of costs for Fiscal Year 2005-2006, RAFs collected from the telecommunications industry are expected to be at least \$3.1 million less than the cost of regulating the industry. This deficit developed in recent years due to (1) a decline in telecommunication RAFs and (2) more accurate time reporting by staff during the past year which increased the relative share of costs assigned to the telecommunications industry. Telecommunications revenues subject to RAFs are projected to continue to decrease. The projected deficit will continue unless steps are taken to remedy the situation.

As previously discussed, management began an aggressive program of cost reduction that continues today and will continue in the future. Nevertheless, while staff hoped the deficit could be eliminated without raising regulatory fees, it appears some adjustment cannot be avoided in the near term. Based on projections of revenues and expenses for Fiscal Year 2005-2006, staff has calculated that a RAF rate of .21 percent is necessary for telecommunications companies to cover the cost of regulating the industry. Staff recommends, however, that the RAF rate only be increased to .20 percent. Staff believes that through continued cost cutting efforts and the pursuit of alternative revenue sources discussed in Issue 2 of this recommendation, the remaining deficit for telecommunications that exists at the .20 percent RAF rate can be eliminated.

Changing the rate to .20 percent is projected to increase the amount collected from telecommunications companies from \$8.8 million to \$11.7 million. Of the \$11.7 million, 7.3 percent (\$854,000) must be paid by the Commission to the General Revenue Fund as a statutorily required service charge. §§ 215.20 and 350.113(2), Fla. Stat. (2003).

In the foreseeable future, staff envisions the continued evolution of the telecommunications market and the exertion of continued pressures on wireline carriers from other technologies such as wireless, voice-over-internet (VOIP), and cable. The Commission will still have responsibility for areas such as arbitrations, area code/numbering relief, consumer education, resolving customer complaints, setting wholesale rates and terms, and preventing anticompetitive pricing. However, staff anticipates that in the future (3-5 years) the Commission could experience a reduction in telecommunications workload. State law establishing a timetable for intrastate access charge reductions also includes triggers for certain reductions in regulatory requirements relating to tariffs and service quality. Consistent with the foregoing discussion, staff will conduct an annual assessment of the relationship between RAF revenues and regulatory costs associated with the telecommunication industries.

In conclusion, a number of factors both external and internal have converged, resulting in a budget deficit that is expected to continue unless some action is taken. Despite significant efforts--past, present and future--to streamline, to become more efficient and to cut costs, the deficit remains. Therefore, staff recommends the Commission increase the RAF rate from .15 percent to .20 percent. The effective date of the rule change should be January 1, 2005.

Statement of Estimated Regulatory Cost Associated with the Proposed Rule Change

Amendment of the rule to increase the RAF rate from .15 to .20 will increase the amount of regulatory assessment fees that telecommunications utilities will be required to pay. More specific discussion is included in the SERC. (Attachment 2.)

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Issue 2: Should the Commission investigate alternative mechanisms for recovering the costs of regulating the telecommunications industry and pursue statutory authority to increase minimum regulatory assessment and certificate application fees?

Recommendation: Yes. (Moore, Mailhot)

Staff Analysis: At the August 18, 2004 workshop, industry representatives observed that the current funding mechanism may no longer be appropriate for recovering the regulatory costs associated with the telecommunications industry. Collection of RAFs based on company revenues dates back to a time when regulatory efforts focused on monopoly providers and most proceedings involved only one company. In a telecommunications industry that has been opened up to competition, Commission workload is no longer driven by a single company seeking rate relief, but rather by multi-company dockets addressing competitive issues. Staff will work with industry representatives to study the cost causing factors in regulating the telecommunications industry and determine whether alternative funding mechanisms that are more related to cost causation can be developed. Based on this study, the Commission can determine whether it is appropriate to restructure the method of cost recovery to reflect the competitive dynamics of the industry. Staff will also explore with the companies the creation of incentives for companies to resolve their disputes by mediation.

Staff has already considered several possible areas to implement fees and charges for Commission services as well as increasing existing minimum RAF payments and certification fees as a way to collect regulatory revenues without increasing the RAF rate itself. With statutory changes, the Commission could increase the minimum RAF paid by small telecommunications companies to more closely reflect the cost of regulatory activity required by those companies. The current statutory minimum is \$50 for all telecommunications providers. If the minimum is increased to \$100 for pay telephone providers, alternative access vendors (AAVs), and shared tenant service providers (STS), and to \$1,000 for interexchange companies (IXCs) and competitive local exchange companies (CLECs), staff estimates that the change could result in an increase in revenues of \$850,000, excluding any adjustments for repression. If as a result of the increase in the minimum payment, companies cancel their certificates or do not obtain certificates, the increase in RAF revenue could be much less than \$850,000. Some companies seek a certificate but never actually do business in Florida and an increased minimum may discourage them from doing so in the future, thus reducing the work associated with issuing certificates and in turn, our costs. The proposed statutory language to increase the minimum fee is contained in **Attachment 6**.

Staff is also proposing a statutory change to increase the certification fee maximum from the current \$250 to \$500, based on the cost of processing a request for certification. This could result in an additional \$5,000 to \$10,000 in annual revenue. A preliminary draft of suggested legislation is attached. (**Attachment 7**.) Again, the increased fee could deter some companies from applying for a certificate in Florida.

Any additional revenues that may result from the proposed statutory changes will take time to implement. If the proposed statutory changes are enacted, implementing rule changes will be required. Further, a monitoring period of approximately one year will be necessary to determine the level of repression and the resulting impact on Commission revenues.

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Staff has also considered proposing legislation authorizing the Commission to adopt a rule imposing filing fees. Such legislation requires further study, however, to determine whether and on what basis to set different fees, and to evaluate the potential impact on development of a competitive market. As in the case of increasing certificate application fees, imposing fees for filing such matters as disputed interconnection agreements, could influence the filing parties' decision making process. While charging a filing fee may well reduce the number of petitions that are of questionable merit, input from all parties and careful consideration by the Commission will be needed prior to pursuing fees of this nature.

As stated earlier, staff will work with the industry to investigate alternative mechanisms to recover the costs of regulating the telecommunications industry, with particular attention on ways to align recovery with specific regulatory functions.

Staff recommends that the Commission pursue statutory authority to increase existing minimum RAF amounts and to increase application fees to more accurately reflect the cost incurred by the agency in processing applications.

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Issue 3: Should the Commission amend Rule 25-4.0161, F.A.C., governing extensions of time to file a regulatory assessment fee return in order to codify the standards that are actually used by staff to determine whether an extension should be granted?

Recommendation: Yes. (Moore, Sharma)

Staff Analysis: The Commission should also amend the provisions of Rule 25-4.0161 governing extensions of time to file a RAF return and pay the fees in order to codify the standards that are actually used by staff to determine whether an extension should be granted. Subsection (7)(a) of the rule currently requires companies to submit a statement of good cause for the extension to the Commission. "Good cause" is not defined in the rule, and there is nothing in the rule explicitly stating what reasons justify an extension of time. Similar omissions have caused a Joint Administrative Procedures Committee's (JAPC) staff attorney to submit comments in other Commission rule dockets. Staff recommends eliminating the requirement for companies to include a statement of good cause and simply provide that an extension of 30 days will be granted if the company has applied for the extension within the time required (two weeks before the date the return is due) and the company does not have any unpaid regulatory assessment fees, penalties or interest due from a prior year. Companies that obtain an extension are assessed interest for the additional time unless they submit an estimated return by the due date and pay at least 90 percent of the full amount of RAFs that are owed. The form to be used to request an extension of time is attached to this recommendation. (**Attachment 8.**)

Because the rule change codifies current practice, and the forms will be reprinted to reflect the rate change, there should be no additional cost to the Commission as a result of revising the extension language.

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Issue 4: Should this docket be closed?

Recommendation: Yes, if no requests for hearing or comments are filed, the rules as proposed should be filed for adoption with the Secretary of State and the docket closed. (Moore)

Staff Analysis: Unless comments or requests for hearing are filed, the rules as proposed may be filed with the Secretary of State without further Commission action. The docket may then be closed.

1 date they are post marked by the United States Postal Service or received and logged in by the
2 Commission's Division of the Commission Clerk and Administrative Services in Tallahassee.
3 Fees are considered timely paid if properly addressed, with sufficient postage, and postmarked
4 no later than the due date.

5 (4) Commission Form PSC/CMP 25 (___/___), entitled "Local Exchange Company
6 Regulatory Assessment Fee Return," Form PSC/CMP 26 (___/___), entitled "Pay Telephone
7 Service Provider Regulatory Assessment Fee Return"; Form PSC/CMP 34 (___/___), entitled
8 "Shared Tenant Service Provider Regulatory Assessment Fee Return"; Form PSC/CMP 153
9 (___/___), entitled "Interexchange Company Regulatory Assessment Fee Return"; and Form
10 PSC/CMP 1 (___/___), entitled "Alternative Access Vendor Regulatory Assessment Fee
11 Return"; and Form PSC/CMP 7(___/___), entitled "Competitive Local Exchange Company
12 Regulatory Assessment Fee Return" are incorporated into this rule by reference and may be
13 obtained from the Commission's Division of the Commission Clerk and Administrative
14 Services.

15 (5) Each telecommunications company shall have up to and including the due date in
16 which to submit the applicable form and:

17 (a) Remit the total amount of its fee, or

18 (b) Remit an amount which the company estimates is its full fee.

19 (6) Where the company remits less than its full fee, the remainder of the full fee shall
20 be due on or before the 30th day from the due date and shall, where the amount remitted was
21 less than 90 percent of the total regulatory assessment fee, include interest as provided by
22 paragraph (8)(b) of this rule.

23 (7) A company may request from the Division of the Commission Clerk and
24 Administrative Services a 30-day extension of its due date for payment of regulatory
25 assessment fees or for filing its return form.

1 (a) The request for extension must be submitted on Form PSC/CCA 124 (/) written
2 and will be granted if the company has applied for the extension within the time required in
3 (b) below and the company does not have any unpaid regulatory assessment fees, penalties or
4 interest due from a prior year -accompanied by a statement of good cause. Form PSC/CCA
5 124 (/), entitled "Regulatory Assessment Fee Extension Request" is incorporated into this
6 rule by reference and may be obtained from the Commission's Division of the Commission
7 Clerk and Administrative Services.

8 (b) The request for extension must be received by the Division of the Commission
9 Clerk and Administrative Services at least two weeks before the due date.

10 (c) Where a telecommunications company receives an extension of its due date
11 pursuant to this rule, the telecommunications company shall remit a charge in addition to the
12 regulatory assessment fees, as set out in Section 350.113(5), Florida Statutes.

13 (d) The return forms may be obtained from the Commission's Division of the
14 Commission Clerk and Administrative Services. The failure of a telecommunications
15 company to receive a return form shall not excuse the company from its obligation to timely
16 remit the regulatory assessment fees.

17 (8) The delinquency of any amount due to the Commission from the
18 telecommunications company pursuant to the provisions of Section 350.113, Florida Statutes,
19 and this rule, begins with the first calendar day after any date established as the due date either
20 by operation of this rule or by an extension pursuant to this rule.

21 (a) A penalty, as set out in Section 350.113, Florida Statutes, shall apply to any such
22 delinquent amounts.

23 (b) Interest at the rate of 12 percent per annum shall apply to any such delinquent
24 amounts.

25 Specific Authority 350.127(2) FS.

1 Law Implemented 350.113, 364.336 FS.
2 History—New 5-18-83, Formerly 25-4.161, Amended 10-19-86, 1-1-91, 12-29-91, 1-8-95, 12-
3 26-95, 7-7-96, 11-11-99, _____.

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Alternative Access Vendor Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

PERIOD COVERED:

FIELD(3)

FIELD(1)

FOR PSC USE ONLY

Check # _____

\$ _____ 06-03-001
003001

\$ _____ P _____ 06-03-001
004011

Postmark Date _____

Initials of Preparer _____

Please Complete Below If Official Mailing Address Has Changed

(Name of Company)	(Address)	(City/State)	(Zip)
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LINE NO.	WIDE AREA TOLL SERVICE	FLORIDA GROSS OPERATING REVENUE	INTRASTATE REVENUE
1.	Special Access Services	_____	\$ _____
2.	Private Line Services	_____	_____
3.	Leased Facilities & Circuits Services	_____	_____
4.	Miscellaneous Services	_____	_____
5.	TOTAL REVENUES	_____	_____
6.	LESS: Amounts Paid to Other Telecommunications Companies ⁽¹⁾	_____	_____
7.	NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation (Line 5 less Line 6)	_____	\$ _____
8.	Regulatory Assessment Fee Due (Multiply Line 7 by 0.0020)	_____	_____
9.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
10.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____	_____
11.	Extension Payment Fee (see "4. Extension" on back)	_____	_____
12.	TOTAL AMOUNT DUE (\$50 MINIMUM)	_____	\$ _____ ⁽²⁾

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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 official 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. _____

000017

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Alternative Access Vendor)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, **and**
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts.

On Line 6, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 9). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 10). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA-124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 11):

0.75% of the fee to be remitted for an extension of 15 days or less, or
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.

6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your records, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ATTENTION: Fiscal Services
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7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

Competitive Local Exchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

FIELD(1)

PERIOD COVERED:
FIELD(3)

FOR PSC USE ONLY

Check # _____

\$ _____ 06-03-001
003001

\$ _____ P 06-03-001
004011

\$ _____ I

Postmark Date _____

Initials of Preparer _____

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.	Basic Local Services	_____	\$ _____
2.	Long Distance Services (IntraLATA only) ⁽¹⁾	_____	_____
3.	Access Services	_____	_____
4.	Private Line Services	_____	_____
5.	Leased Facilities & Circuits Services	_____	_____
6.	Miscellaneous Services	_____	_____
7.	TOTAL REVENUES		\$ _____
8.	LESS: Amounts Paid to Other Telecommunications Companies ⁽²⁾		_____
9.	NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation (Line 7 less Line 8)		\$ _____
10.	Regulatory Assessment Fee Due (Multiply Line 9 by 0.0020)		_____
11.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)		_____
12.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)		_____
13.	Extension Payment Fee (see "4. Extension" on back)		_____
14.	TOTAL AMOUNT DUE (\$50 MINIMUM)		\$ _____ ⁽³⁾

- (1) Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return.
- (2) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).
- (3) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

CURRENT COMPANY STATUS

- Facilities-Based Provider
- Reseller
- Other: _____

BILLING INFORMATION

Complete below if billing agent if other than yourself.

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

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. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Competitive Local Exchange Company)

1. **WHEN TO FILE:** For companies which owed a total of \$10,000 or more of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, **and**
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of less than \$10,000 of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, when July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee Return may be filed or postmarked on the next business day, without penalty or interest.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts.

On Line 8, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. **Do not deduct** any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 11). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 12). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA -124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 13):

0.75% of the fee to be remitted for an extension of 15 days or less, *or*
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

000020

TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE FIELD(2)

Local Exchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

(Filing Instructions on Back of Form)

STATUS:

- _____ Actual Return
- _____ Estimated Return
- _____ Amended Return

FIELD(1)

FOR PSC USE ONLY

Check # _____

\$ _____ 06-03-001
003001

\$ _____ P
06-03-001
004011

\$ _____ I

Postmark Date _____

Initials of Preparer _____

PERIOD COVERED:

FIELD(3)

Please Complete Below If Official Mailing Address Has Changed

(Name of Company)	(Address)	(City/State)	(Zip)
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LOCAL SERVICES REVENUES

	<u>Total</u>	<u>Intrastate</u>
1. Basic area revenues (5001)	\$ _____	\$ _____
2. Optional extended area revenues (5002)	_____	_____
3. Cellular mobile revenues (5003)	_____	_____
4. Other mobile services revenues (5004)	_____	_____
5. Public telephone revenues (5010)	_____	_____
6. Local private line revenues (5040)	_____	_____
7. Customer premises revenues (5050)	_____	_____
8. Other local exchange revenues (5060)	_____	_____
9. Other local exchange revenues settlements (5069)	_____	_____
10. Total Local Services Revenues (Add Lines 1 through 9)	\$ _____	\$ _____

NETWORK ACCESS SERVICES REVENUES

11. End user revenues (5081)	_____	_____
12. Switched access revenues (5082)	_____	_____
13. Special access revenues (5083)	_____	_____
14. State access revenues (5084)	_____	_____
15. Total Access Services Revenues (Add Lines 11 through 14)	\$ _____	\$ _____

LONG DISTANCE NETWORK SERVICES REVENUES

16. Long distance message revenues (5100)	_____	_____
17. Long distance inward-only revenues (5111)	_____	_____
18. Long distance outward-only revenues (5112)	_____	_____
19. Subvoice grade long distance private network revenues (5121)	_____	_____
20. Voice grade long distance private network revenues (5122)	_____	_____
21. Audio program grade long distance private network revenues (5123)	_____	_____
22. Video program grade long distance private network revenues (5124)	_____	_____
23. Digital transmission grade long distance private network revenues (5125)	_____	_____
24. Long distance private network switching revenues (5126)	_____	_____

		<u>Intrastate</u>
25. Other long distance private network revenues (5128)	_____	_____
26. Other long distance private network settlements (5129)	_____	_____
27. Other long distance revenues (5160)	_____	_____
28. Other long distance revenues settlements (5169)	_____	_____
29. Total Long Distance Revenues (Add Lines 16 through 28)	\$ _____	\$ _____

MISCELLANEOUS REVENUES

30. Directory revenues (gross billing) (5230)	_____	_____
31. Rent revenues (gross billings) (5240)	_____	_____
32. Corporate operation revenues (5250)	_____	_____
33. Special billing arrangement revenues (5261)	_____	_____
34. Customer operations revenues (5262)	_____	_____
35. Plant operation revenues (5263)	_____	_____
36. Other incidental regulated revenues (5264)	_____	_____
37. Other revenues settlements (5269)	_____	_____
38. Carrier billing & collection revenues (5270)	_____	_____
39. Total Miscellaneous Revenues (Add Lines 30 through 38)	\$ _____	\$ _____
40. TOTAL GROSS REVENUES FEE (Add Lines 10, 15, 29, and 39)	\$ _____	\$ _____
41. Less: Amounts Paid to Other Telecommunications Companies ⁽¹⁾	_____	_____
42. NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation (Line 40 less Line 41)	_____	\$ _____
43. REGULATORY ASSESSMENT FEE DUE (Multiply Line 42 by 0.0020)	_____	_____
44. Less: Payments made for June 30 period, if any	_____	_____
45. NET REGULATORY ASSESSMENT FEE DUE	_____	\$ _____
46. Penalty for late payment (see "3. Failure to File by Due Date" on back)	_____	_____
47. Interest for late payment (see "3. Failure to File by Due Date" on back)	_____	_____
48. Extension Payment Fee (see "4. Extension" on back)	_____	_____
49. TOTAL AMOUNT DUE (MINIMUM \$50.00)	\$ _____	\$ _____ ⁽²⁾

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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 official 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. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Local Exchange Company)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

On or before July 30 for the six-month period January 1 through June 30, **and**
On or before January 30 for the six-month period July 1 through December 31.

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay the 0.0020 of its gross operating revenues derived from intrastate business. Gross Operating Revenues are defined as the total revenues before expenses. **Annual revenue amounts are to be reported on the return for the period ended December 31.**

On Line 41, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. ***Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals.*** **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 46). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 47). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA-124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 48):

0.75% of the fee to be remitted for an extension of 15 days or less, *or*

1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.

6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets & Enforcement at (850)413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE FIELD(2)

Pay Telephone Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- _____ Actual Return
- _____ Estimated Return
- _____ Amended Return

FIELD(1)

FOR PSC USE ONLY

Check # _____

_____ 06-03-001
003001

\$ _____ P _____

_____ 06-03-001
004011

\$ _____ I _____

Postmark Date _____

Initials of Preparer _____

PERIOD COVERED:
FIELD(3)

Please Complete Below If Official Mailing Address Has Changed

(Name of Company)	(Address)	(City/State)	(Zip)
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LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Operating Revenue (Florida)	\$ _____
2.	Gross Intrastate Revenue	_____
3.	LESS: Amounts Paid to Other Telecommunications Companies ⁽¹⁾ (see "2. Fees" on back)	(_____)
4.	TOTAL REVENUES for Regulatory Assessment Fee Calculation (Line 2 less Line 3)	\$ _____
5.	Regulatory Assessment Fee Due – (Multiply Line 4 by 0.0020)	_____
6.	Penalty for Late Payment (see "3. Failure to File by Due Date" on back)	_____
7.	Interest for Late Payment (see "3. Failure to File by Due Date" on back)	_____
8.	Extension Payment Fee (see "4. Extension" on back)	_____
9.	TOTAL AMOUNT DUE (MINIMUM \$50.00)	\$ _____ (2)
10.	Number of pay telephones in operation at close of period covered by this Return	_____

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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 official duty shall be guilty of a misdemeanor of the second degree.

(Signature of Company Official)	(Title)	(Date)
Telephone Number () _____		Fax Number () _____

(Preparer of Form - Please Print Name)

F.E.I. No. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Pay Telephone Service Provider)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, AND
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts other than the amount on Line 3.

On Line 3, deduct any amount paid to another telecommunications company for the use of any telecommunications network (including installation charges) to provide service to its customers. ***Do not deduct any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals.*** **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 6). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 7). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA-124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 8):

0.75% of the fee to be remitted for an extension of 15 days or less, *or*
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your records, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
ATTENTION: Fiscal Services

ADDITIONAL ASSISTANCE: If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

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TO AVOID PENALTY AND INTEREST CHARGES, THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE FIELD(2)

Shared-Tenant Service Provider Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

FIELD(1)

FOR PSC USE ONLY

Check # _____

\$ _____ 06-03-001
003001

\$ _____ P _____ 06-03-001
004011

\$ _____ I _____

Postmark Date _____

Initials of Preparer _____

Please Complete Below If Official Mailing Address Has Changed

(Name of Company)

(Address)

(City/State)

(Zip)

LINE NO.	ACCOUNT CLASSIFICATION	AMOUNT
1.	Gross Intrastate Operating Revenue	\$ _____
2.	LESS: Amounts Paid to Other Telecommunications Companies ⁽¹⁾ (see "2. Fees" on back)	_____
3.	NET INTRASTATE OPERATING REVENUE for Regulatory Assessment Fee Calculation <i>(Line 1 less Line 2)</i>	\$ _____
4.	Regulatory Assessment Fee Due <i>(Multiply Line 3 by 0.0020)</i>	_____
5.	Penalty For Late Payment (see "3. Failure to File by Due Date" on back)	_____
6.	Interest For Late Payment (see "3. Failure to File by Due Date" on back)	_____
7.	<u>Extension Payment Fee</u> (see "4. Extension" on back)	_____
8.	TOTAL AMOUNT DUE (MINIMUM \$50.00)	\$ _____ (2)

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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 official 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 () _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Shared-Tenant Service Provider)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return is required twice a year and payment must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, AND
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the prior twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts.

On Line 2, deduct any amounts paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. **Do not deduct** any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 5). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 6). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or cancel the company's certificate. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA-124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 7):

0.75% of the fee to be remitted for an extension of 15 days or less, or
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below-referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your file, and return the original in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the enclosed envelope, please address your remittance as follows:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

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Interexchange Company Regulatory Assessment Fee Return

Florida Public Service Commission

(See Filing Instructions on Back of Form)

STATUS:

- Actual Return
- Estimated Return
- Amended Return

FIELD(1)

FOR PSC USE ONLY

Check # _____

\$ _____ 0603001
003001

\$ _____ P 0603001
004011

\$ _____ 1

Postmark Date _____

Initials of Preparer _____

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 Telecommunications Companies ⁽¹⁾	_____	(_____)
8.	TOTAL REVENUES For Regulatory Assessment Fee Calculation	_____	\$ _____
9.	Regulatory Assessment Fee Due (Multiply Line 8 by 0.0020)	_____	_____
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.	Extension Payment Fee (see "4. Extension" on back)	_____	_____
13.	TOTAL AMOUNT DUE (\$50 MINIMUM)	_____	\$ _____ ⁽²⁾

(1) These amounts must be intrastate only and must be verifiable (see "2. Fees" on back).

(2) Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as provided in Section 364.336, Florida Statutes.

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? What is the total amount of bond held (if applicable)?
 Amount: \$ _____ for 20____ 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. _____

FLORIDA PUBLIC SERVICE COMMISSION
Instructions For Filing Regulatory Assessment Fee Return
(Interexchange Company)

1. **WHEN TO FILE:** For companies which owed a total of **\$10,000 or more** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment is required twice a year and must be filed or postmarked:

*On or before July 30 for the six-month period January 1 through June 30, **and**
On or before January 30 for the six-month period July 1 through December 31.*

For companies which owed a total of **less than \$10,000** of assessment fee for the preceding calendar year, this Regulatory Assessment Fee Return and payment must be filed or postmarked:

On or before January 30 for the twelve-month period January 1 through December 31.

However, if July 30 or January 30 falls on a Saturday, Sunday, or holiday, the Regulatory Assessment Fee may be filed or postmarked on the next business day, without penalty.

2. **FEES:** Each company shall pay 0.0020 of its gross operating revenues derived from intrastate business, as referenced in Rule 25-4.0161(1), F.A.C. Gross Operating Revenues are defined as the total revenues before expenses. Gross Intrastate Operating Revenues are defined as revenues from calls originating and terminating within Florida. Do not deduct any expenses, taxes, or uncollectibles from these amounts other than the amount in Line 7.

On Line 7, deduct any amounts paid to a telecommunications company for the use of any telecommunications network to provide service to its customers. **Do not deduct** any taxes, federal subscriber line charges, interstate long distance access charges, or amounts paid for nonregulated services such as voice mail, inside wire maintenance, or equipment purchases/rentals. **DEDUCTIONS MUST BE INTRASTATE ONLY AND MUST BE VERIFIABLE.**

3. **FAILURE TO FILE BY DUE DATE:** Failure to file a return by the established due date will result in a penalty being added to the amount of fee due, 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25% (Line 10). In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year (Line 11). A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report or if the minimum amount is due.

When a company fails to timely file a Regulatory Assessment Fee Return, the Commission has the authority to order the company to pay a penalty and/or remove the company from the list of companies registered to provide service. The company will have an opportunity to respond to any proposed Commission action.

4. **EXTENSION:** A request for an extension of time up to 30 days may be made by filing the enclosed *Regulatory Assessment Fee Extension Request* form (PSC/CCA-124), two weeks prior to the filing date. When an extension is granted, a charge shall be added to the amount due (Line 12):

0.75% of the fee to be remitted for an extension of 15 days or less, or
1.5% of the fee for an extension of 16 to 30 days.

In lieu of paying the charges outlined above, a company may file a return and remit payment based upon estimated gross operating revenues. If such return is filed by the normal due date, the company shall be granted a 30-day extension period in which to file and remit the actual fee due without paying the above charges, provided the estimated fee payment remitted is at least 90% of the actual fee due for the period. An automatic 30-day extension to file an actual return may be obtained by checking the "Estimated Return" space in the top left-hand corner on the reverse side.

5. **FEE ADJUSTMENTS:** You will be notified as to the amount and reason for any fee adjustment. Penalty and interest charges may be applicable to additional amounts owed the Commission by reason of the adjustment. The company may file a written request for a refund of any overpayments. The request should be directed to Fiscal Services at the below referenced address.
6. **MAILING INSTRUCTIONS:** Please complete this form, make a copy for your files, and return the original and in the enclosed preaddressed envelope. Use of this envelope should assure a more accurate and expeditious recording of your payment. **Make your check payable to the Florida Public Service Commission.** If you are unable to use the envelope, please address your remittance as follows:

Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ATTENTION: Fiscal Services

7. **ADDITIONAL ASSISTANCE:** If you need additional assistance in preparing your Regulatory Assessment Fee Return or regarding telecommunications facilities, please contact the Division of Competitive Markets and Enforcement at (850) 413-6600. This division may be contacted at the above-referenced address, directing correspondence to the attention of the division.

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State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: September 9, 2004
TO: Office of General Counsel (Moore)
FROM: Division of Economic Regulation (Hewitt) *[Handwritten Signature]*
RE: **Revised Statement** of Estimated Regulatory Costs for Proposed Rule Amendments to 25-4.0161, F.A.C., Regulatory Assessment Fees; Docket No. 040436-TP

SUMMARY OF THE RULE

Rule 25-4.0161, F.A.C., Regulatory Assessment Fees (RAFs) sets the rate at which telecommunications companies are assessed for regulatory costs. Currently, the assessed rate is 0.15% of a certificated or registered company's gross operating revenues derived from intrastate business.

The proposed rule would increase the telecommunications companies RAF rate to 0.20% because the current rate is not generating sufficient RAFs to cover the regulatory costs.

ESTIMATED NUMBER OF ENTITIES REQUIRED TO COMPLY AND GENERAL DESCRIPTION OF INDIVIDUALS AFFECTED

The telecommunications companies certificated or registered by the Commission would be affected. There are 10 incumbent local exchange companies (ILECs), 23 alternative access vendors (AAVs) plus 17 with competitive local exchange authority, 404 competitive local exchange companies (CLECs), 468 payphone companies, 31 shared tenant services companies and 703 interexchange companies currently active. The increase in RAFs may be passed on to the customers of some of these companies.

RULE IMPLEMENTATION AND ENFORCEMENT COST AND IMPACT ON REVENUES FOR THE AGENCY AND OTHER STATE AND LOCAL GOVERNMENT ENTITIES

The usual rule implementation costs would be incurred with this rule change as well as the cost to revise RAF forms. Enforcement costs should remain the same with the rule change. There would be a positive impact on Commission RAF revenues of an estimated \$2,712,680 (\$2,926,300 less \$213,120 paid to the state General Revenue Fund), based on the latest estimated gross intrastate revenues for 2005-06:

Estimated 2005-06 Gross Intrastate Revenues -	\$5,852,600,000
RAFs @ 0.15% -	\$8,778,900
RAFs @ 0.20% -	\$11,705,200

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There could be an increase in the amount of RAFs paid on other state and local government entities' regulated communications companies' bills, depending on how much of the increased rate is passed on to the customer.

ESTIMATED TRANSACTIONAL COSTS TO INDIVIDUALS AND ENTITIES

Regulated companies would have to prepare their RAF forms for submission to the Commission as usual but at a higher rate. Companies able to revise the amount collected from customers at the higher rate may have some minor transactional costs to implement the increase.

The proposed rule change would increase the bill of regulated companies' customers if passed along. The RAF on a \$100 telecom bill could have a maximum increase from \$0.15 to \$0.20 due to the RAF rate increase if 100% of the increased rate were to be passed on to the customer.

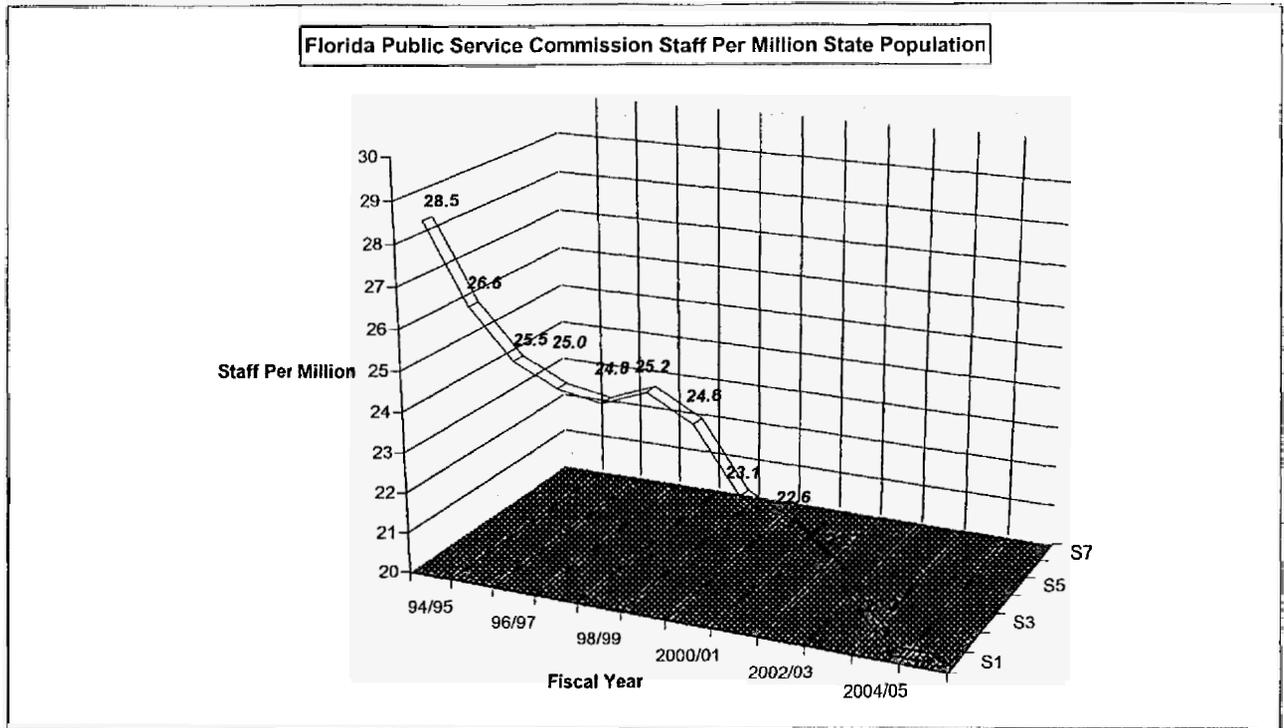
All ILECs but one are under price cap regulation and could not include the higher RAF in their basic telephone rates. ILECs under price caps may increase their prices once a year by the amount of inflation minus 1%. The one ILEC under rate base regulation would have to wait until a rate case to pass along a RAF increase. ILECs may be able to recover some of the increased RAF through unregulated services such as call-waiting or caller ID charges depending on how competitive their markets are. Based on the actual year 2002 reported ILEC intrastate revenues of \$4,970,336,667, ILECs' RAFs would have been \$2,485,168 higher with the proposed RAF rate.

Other telecommunications companies do not have price caps but being in a competitive market they may choose not to pass along the full amount of the RAF increase. All other telecommunications companies besides the ILECs had year 2002 intrastate revenues of \$1,583,874,666 and would have paid an additional \$791,937 with the higher RAF. Although the increased RAF is \$0.05 per \$100 in revenues, some companies at the margin may decide that the increase makes it that much harder to make enough revenue to stay in business. If there are any companies that leave the market, the increased RAF benefits to the commission would be reduced by at least the minimum \$50 RAF paid per company.

IMPACT ON SMALL BUSINESSES, SMALL CITIES, OR SMALL COUNTIES

Small businesses, cities, and counties would have their telecom bills from regulated companies increase by the increase in the RAF rate if passed along by their telecom companies. The main benefit would come from maintaining required regulatory oversight by the Commission.

cc: Mary Andrews Bane
Chuck Hill
Paula Isler
Hurd Reeves



Fiscal Year	94/95	95/96	96/97	97/98	98/99	99/2000	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06
PSC Positions	408	389	380	380	387	401	399	386	386	379.5	361.5	341.0
Percent Change		-4.7%	-2.3%	0.0%	1.8%	3.6%	-0.5%	-3.3%	0.0%	-1.7%	-4.7%	-5.7%
Fl. Population	14.3	14.6	14.9	15.2	15.6	15.9	16.2	16.7	17.1	17.5	17.8	18.1
Staff Per Million	28.5	26.6	25.5	25.0	24.8	25.2	24.6	23.1	22.6	21.7	20.3	18.8

State Comparison

Sorted based on Staff per Million Access Lines

State	Number of PSC Employees*	Population**	Staff per Million Population	Number of Access Lines***	Staff per Million Access Lines
1 West Virginia****	310.0	1,810,354	171.24	917,035	338.05
2 New Mexico****	266.0	1,874,614	141.90	979,450	271.58
3 Oklahoma	458.0	3,511,532	130.43	1,909,174	239.89
4 Alaska****	61.0	648,818	94.02	425,322	143.42
5 Kansas	209.0	2,723,507	76.74	1,459,559	143.19
6 Wyoming****	34.0	501,242	67.83	238,045	142.83
7 North Dakota	41.0	633,837	64.69	300,496	136.44
8 Virginia	600.0	7,386,330	81.23	4,844,234	123.86
9 Mississippi	145.0	2,881,281	50.32	1,291,272	112.29
10 Arizona	297.0	5,580,811	53.22	3,249,408	91.40
11 New Hampshire	73.0	1,287,687	56.69	829,096	88.05
12 Arkansas	111.0	2,725,714	40.72	1,359,408	81.65
13 Montana	38.0	917,621	41.41	509,121	74.64
14 Main	56.0	1,305,728	42.89	769,196	72.80
15 Vermont****	25.0	619,107	40.38	367,620	68.01
16 Idaho	49.0	1,366,332	35.86	724,947	67.59
17 South Dakota	24.0	764,309	31.40	362,324	66.24
18 Missouri	218.0	5,704,484	38.22	3,359,696	64.89
19 Connecticut	156.0	3,483,372	44.78	2,412,941	64.65
20 Pennsylvania	533.0	12,365,455	43.10	8,348,499	63.84
21 Hawaii****	44.0	1,257,608	34.99	698,178	63.02
22 Nevada	87.0	2,241,154	38.82	1,451,808	59.93
23 Kentucky	121.0	4,117,827	29.38	2,074,986	58.31
24 Oregon	119.0	3,559,596	33.43	2,063,328	57.67
25 Alabama	126.0	4,500,752	28.00	2,297,519	54.84
26 Wisconsin	185.0	5,472,299	33.81	3,438,055	53.81
27 Iowa	79.0	2,944,062	26.83	1,474,411	53.58
28 Ohio	360.0	11,435,798	31.48	6,850,949	52.55
29 Delaware	29.0	817,491	35.47	570,682	50.82
30 Nebraska	46.0	1,739,291	26.45	935,603	49.17
31 Louisiana	116.0	4,496,334	25.80	2,375,087	48.84
32 New Jersey	287.0	8,638,396	33.22	6,467,243	44.38
33 Washington	165.0	6,131,445	26.91	3,809,137	43.32
34 New York	530.0	19,190,115	27.62	12,374,550	42.83
35 Massachusetts	180.0	6,433,422	27.98	4,390,002	41.00
36 California	940.0	35,484,453	26.49	23,534,191	39.94
37 South Carolina	84.0	4,147,152	20.25	2,292,839	36.64
38 Maryland	134.0	5,508,909	24.32	3,755,265	35.68
39 Illinois	279.0	12,653,544	22.05	8,179,993	34.11
40 Florida	361.5	17,019,068	21.24	11,498,647	31.44
41 Colorado	92.0	4,550,688	20.22	3,002,107	30.65
42 Tennessee	90.0	5,841,748	15.41	3,319,002	27.12
43 Michigan	140.0	10,079,985	13.89	6,161,952	22.72
44 Texas	242.0	22,118,509	10.94	12,535,063	19.31
45 Indiana	70.0	6,195,643	11.30	3,646,523	19.20
46 Georgia	94.0	8,684,715	10.82	5,052,312	18.61
47 Rhode Island	10.0	1,076,164	9.29	660,242	15.15
48 Minnesota	42.0	5,059,375	8.30	3,035,099	13.84
49 North Carolina	63.0	8,407,248	7.49	5,093,595	12.37
50 Utah	15.0	2,351,467	6.38	1,235,250	12.14
Totals/Averages	8,834.5	290,246,393	30.44	178,930,461	49.37

* Source: NARUC Membership Directory, March 2004

** July 1, 2003 Population Estimates from Annual Estimates of the Population for the United States and States, and for Puerto Rico: April 1, 2000 to July 1, 2003 (Capital NST-EST2003-01), Population Division, U.S. Census Bureau, released December 18, 2003, Last revised, May 11, 2004

*** Source: FCC June 2004 Industry Analysis and Technology Division, Wire Line Competition Bureau Report titled: Local Telephone Competition Status as of December 31, 2003

**** Data on access lines withheld to maintain firm confidentiality.

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Sorted based on Staff per Million Population

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5 Virginia	600.0	7,386,330	81.23	4,844,234	123.86
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8 North Dakota	41.0	633,837	64.69	300,496	136.44
9 New Hampshire	73.0	1,287,687	56.69	829,096	88.05
10 Arizona	297.0	5,580,811	53.22	3,249,408	91.40
11 Mississippi	145.0	2,881,281	50.32	1,291,272	112.29
12 Connecticut	156.0	3,483,372	44.78	2,412,941	64.65
13 Pennsylvania	533.0	12,365,455	43.10	8,348,499	63.84
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25 New Jersey	287.0	8,638,396	33.22	6,467,243	44.38
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28 Kentucky	121.0	4,117,827	29.38	2,074,986	58.31
29 Alabama	126.0	4,500,752	28.00	2,297,519	54.84
30 Massachusetts	180.0	6,433,422	27.98	4,390,002	41.00
31 New York	530.0	19,190,115	27.62	12,374,550	42.83
32 Washington	165.0	6,131,445	26.91	3,809,137	43.32
33 Iowa	79.0	2,944,062	26.83	1,474,411	53.58
34 California	940.0	35,484,453	26.49	23,534,191	39.94
35 Nebraska	46.0	1,739,291	26.45	935,603	49.17
36 Louisiana	116.0	4,496,334	25.80	2,375,087	48.84
37 Maryland	134.0	5,508,909	24.32	3,755,265	35.68
38 Illinois	279.0	12,653,544	22.05	8,179,993	34.11
39 Florida	361.5	17,019,068	21.24	11,498,647	31.44
40 South Carolina	84.0	4,147,152	20.25	2,292,839	36.64
41 Colorado	92.0	4,550,688	20.22	3,002,107	30.65
42 Tennessee	90.0	5,841,748	15.41	3,319,002	27.12
43 Michigan	140.0	10,079,985	13.89	6,161,952	22.72
44 Indiana	70.0	6,195,643	11.30	3,646,523	19.20
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Totals/Averages	8,834.5	290,246,393	30.44	178,930,461	49.37

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*** Source: FCC June 2004 Industry Analysis and Technology Division, Wire Line Competition Bureau Report titled: Local Telephone Company Status as of December 31, 2003

**** Data on access lines withheld to maintain firm confidentiality.

364.336 Regulatory assessment and filing fees.— Notwithstanding any provisions of law to the contrary, each telecommunications company licensed or operating under this chapter, for any part of the preceding 6-month period, shall pay to the commission, within 30 days following the end of each 6-month period, a fee that may not exceed 0.25 percent annually of its gross operating revenues derived from intrastate business, except, for purposes of this section and the fee specified in s. 350.113(3), any amount paid to another telecommunications company for the use of any telecommunications network shall be deducted from the gross operating revenue for purposes of computing the fee due. Differences, if any, between the amount paid in any 6-month period and the amount actually determined by the commission to be due shall, upon motion by the commission, be immediately paid or refunded. The commission may by rule assess a minimum fee in an amount up to \$1,000 and the minimum fee may be different depending on the type of service provided by the telecommunications company. ~~Fees under this section may not be less than \$50 annually.~~ Such fees shall be deposited in accordance with s. 350.113. The commission may by rule establish criteria for payment of the regulatory assessment fee on an annual basis rather than on a semiannual basis.

History.—ss. 33, 49, ch. 90-244; s. 4, ch. 91-429; s. 22, ch. 95-403; s. 13, ch. 98-277.

364.335 Application for certificate.—

(1) Each applicant for a certificate shall:

(a) Provide all information required by rule or order of the commission, which may include a detailed inquiry into the ability of the applicant to provide service, a detailed inquiry into the territory and facilities involved, and a detailed inquiry into the existence of service from other sources within geographical proximity to the territory applied for.

(b) File with the commission schedules showing all rates for service of every kind furnished by it and all rules and contracts relating to such service.

(c) File the application fee required by the commission in an amount not to exceed ~~\$500~~ **\$250**. Such fees shall be deposited in accordance with s. 350.113.

(d) Submit an affidavit that the applicant has caused notice of its application to be given to such persons and in such manner as may be prescribed by commission rule.

(2) If the commission grants the requested certificate, any person who would be substantially affected by the requested certification may, within 21 days after the granting of such certificate, file a written objection requesting a proceeding pursuant to ss. 120.569 and 120.57. The commission may, on its own motion, institute a proceeding under ss. 120.569 and 120.57 to determine whether the grant of such certificate is in the public interest. The commission shall order such proceeding conducted in or near the territory applied for, if feasible. If any person requests a public hearing on the application, such hearing shall, if feasible, be held in or near the territory applied for, and the transcript of the public hearing and any material submitted at or prior to the hearing shall be considered part of the record of the application and any proceeding related to the application.

(3) The commission may grant a certificate, in whole or in part or with modifications in the public interest, but in no event granting authority greater than that requested in the application or amendments thereto and noticed under subsection (1); or it may deny a certificate. The commission may grant certificates for proposed telecommunications companies, or for the extension of an existing telecommunications company, without regard to whether such companies will be in competition with or duplicate the local exchange services provided by any other telecommunications company. The commission may also grant a certificate for a proposed telecommunications company, or for the extension of an existing telecommunications company, which will be providing either competitive or duplicative pay telephone service pursuant to the provisions of s. 364.3375, or private line service by a certified alternative access vendor pursuant to s. 364.337(6). Pay telephone service shall include that telephone service using telephones that are capable of accepting payment by specie, paper money, or credit cards.

(4) Revocation, suspension, transfer, or amendment of a certificate shall be subject to the provisions of this section; except that, when the commission initiates the action, the commission shall furnish notice to the appropriate local government and to the Public Counsel.

History.—s. 27, ch. 80-36; s. 2, ch. 81-318; ss. 3, 5, ch. 82-51; s. 6, ch. 83-73; s. 1, ch. 85-327; ss. 6, 7, ch. 89-163; ss. 32, 48, 49, ch. 90-244; s. 4, ch. 91-429; s. 21, ch. 95-403; s. 93, ch. 96-410.

FLORIDA PUBLIC SERVICE COMMISSION
(Type of Industry)
REGULATORY ASSESSMENT FEE EXTENSION REQUEST

(Utility) (Utility Code) (FEID No.)

Mailing Address: _____

This is to request an extension for filing the Regulatory Assessment Fee Return for the above-named utility for the period indicated below:

PERIOD ____ (Month) ____ (Day) - ____ (Month) ____ (Day) , ____ (Year)

__ 15 days to ____ (Month) ____ (Day) , ____ (Year)

__ 30 days to ____ (Month) ____ (Day) , ____ (Year)

(Signature)

(Date)

(Title)

() _____
(Telephone Number)

() _____
(FAX Number)

NOTE TO UTILITY

- Your Regulatory Extension Fee Request form must be filed and received by the Florida Public Service Commission at the address referenced below **AT LEAST TWO WEEKS before the payment due date of** ____ (Month) ____ (Day) , ____ (Year). Once your request is received, you will be notified by fax (or by mail when a faxed number is not provided) indicating that your request was approved or denied. **THIS IS NOT AN AUTOMATIC EXTENSION, THEREFORE YOU MUST RECEIVE APPROVAL FROM THE COMMISSION IN ORDER TO RECEIVE AN EXTENSION.**
- If an extension of **15 days or less** is approved, 0.75% of the fee is to be included when making payment.
- If an extension of **16 to 30 days** is approved, 1.5% of the fee is to be included when making payment.

FOR PUBLIC SERVICE COMMISSION		NLY
Request Approved	_____	
Request Denied	_____	
_____	The 200__ Regulatory Assessment Fee has not been received.	
_____	The 200__ Regulatory Assessment Fee was delinquent. Prior penalty and/or interest has not been received for your 200__ Regulatory Assessment Fee.	
_____	The request was received too late for processing.	
APPROVED BY:	_____	_____
	(Fiscal Services Section Supervisor)	(Date)

IF YOU HAVE QUESTIONS, PLEASE CONTACT A STAFF MEMBER OF THE FISCAL SERVICES SECTION AT EITHER (850) 413-6267- FAX (850) 413-6268 OR (850) 413-6275 - FAX (850) 413-6276; OR WRITE TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, FISCAL SERVICES SECTION, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399.