

ORIGINAL

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0851

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OCT 18 AM 7:59
COMMISSION
CLERK

DATE: October 13, 2004
TO: Blanca S. Bayó, Commission Clerk and Administrative Services Director
FROM: Beth W. Salak, Director, Division of Competitive Markets & Enforcement
Beth Keating, Attorney Supervisor, Office of the General Counsel
RE: ~~Closure of Docket No. 040426-TX~~ -Compliance investigation of Foxtel, Inc. for
apparent violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees;
Telecommunications Companies.

On May 7, 2004, Docket No. 040426-TX was established to investigate Foxtel, Inc.'s
apparent violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications
Companies. By Order PSC-04-0696-PAA-TX, issued July 16, 2004, the Commission penalized
Foxtel, Inc. in the amount of \$500 for failure to pay its 2003 Regulatory Assessment Fees which
was in apparent violation of Rule 25-4.0161, F.A.C. The Commission further ordered that if
Foxtel, Inc. failed to pay the penalty and its 2003 Regulatory Assessment Fees, including
statutory late payment and interest charges, within fourteen (14) calendar days after the
issuance of the Consummating Order, Certificate No. 8041 would be cancelled
administratively. On August 11, 2004, Order PSC-04-0785-CO-TX was issued making
Order PSC-04-0696-PAA-TX, effective and final.

Fourteen calendar days have elapsed since the issuance of the Consummating Order and
the company has not paid the \$500 penalty or its 2003 Regulatory Assessment Fees, including
statutory late payment and interest charges. The \$500 penalty should not be referred to the
Department of Financial Services for further collection instead, Certificate No. 8041 should
be cancelled and this docket should be closed administratively.

ok to close 10/18/04 RW

CMP KLC/

COM

CTR

ECR cc: Division of Competitive Markets & Enforcement (Curry)
Office of the General Counsel (Scott)

GCL

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