

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

AUGUST 5, 1997

RE: DOCKET NO. 960617-TI - Initiation of show cause proceedings against MCI Telecommunications Corporation for violation of Rule 25-24.630, F.A.C.

Issue 1: Should the Commission accept MCI's suggestion that the unrefundable monies in the amount of \$227,034.67 be placed in the Inmate Welfare Trust Fund?

Recommendation: No. Staff recommends that the unrefundable monies in the amount of \$177,034.67 be paid to the Commission to be forwarded to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund within 30 days from the date of the Commission order. An amount of \$50,000 should be withheld for 90 days to issue any refunds, plus interest, from consumers inquiring why they did not receive their portion of the refund. After the 90 days, the remaining balance of the \$50,000, if any, should be paid to the Commission to be forwarded to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund within one week. Staff also recommends that a report be filed with staff every 30 days from the date of the Commission order on the status of the outstanding complaints until all complaints are resolved.

**DENIED**

*MCI was directed to make a more diligent effort to locate remaining families of inmates who are due a refund and to return to the Commission with suggestions for disposition of unrefundable monies.*

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures of majority commissioners]*

*[Blank lines for dissenting signatures]*

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

07973 AUG-65

FPSC-RECORDS/REPORTING

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(Continued from previous page)

Issue 2: Should the Commission require MCI to refund the interest in the amount of \$90,565.88 directly to those customers overcharged?

Recommendation: Yes. Staff recommends that the interest in the amount of \$90,565.88 be refunded directly to those customers overcharged within 30 days from the date of the Commission order. Any interest monies that cannot be refunded should be paid to the Commission to be forwarded to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund within 60 days from the date of the Commission order.

**MODIFIED**

*180*  
*Approved with noted modifications.*  
*120*

Issue 3: Should the Commission fine MCI \$25,000 for failure to comply with Order No. PSC-97-0088-AS-TI, issued January 27, 1997?

Recommendation: Yes. The Commission should fine MCI \$25,000 for failure to comply with Order No. PSC-97-0088-AS-TI. The fine should be paid to the Commission to be forwarded to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund within 30 days from the date of the Commission order.

*Held in abeyance*

Issue 4: Should this docket be closed?

Recommendation: If Issues 1 - 3 are approved, this docket should be closed if no person whose interests are substantially affected by the proposed action in Issue 3 files a protest within the 21-day protest period, upon payment of the remaining monies and fine and upon completion of the remaining refund.

**DENIED**