

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JULY 21, 1998

RE: DOCKET NO. 961233-TI - Initiation of show cause proceedings against Fox Fiber Optics for violation of Rules 25-24.470, F.A.C., Certificate of Public Convenience and Necessity Required, and 25-4.043, F.A.C., Response to Commission Staff Inquiries.

DOCKET NO. 970650-TI - Application for transfer of Interexchange Telecommunications Certificate No. 2929 from WATS/800, Inc. d/b/a ITS to ITS Billing, Inc. d/b/a ITS d/b/a Fox Fiber Optics.

Issue 1: Should the Commission accept the settlement offer proposed by Fox Fiber Optics to resolve the Commission's order to show cause concerning apparent violations of Rule 25-24.470, Florida Administrative Code, and Rule 25-4.043, Florida Administrative Code?

Recommendation: Yes. The Commission should accept the settlement offer proposed by Fox Fiber Optics.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]

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REMARKS/DISSENTING COMMENTS:

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Issue 2: Should the Commission approve the transfer of Certificate No. 2929 from WATS/800, Inc., d/b/a ITS, d/b/a ITS Billing, Inc., d/b/a Information and Telephone Services, and d/b/a Fox Fiber Optics to ITS Billing, Inc., d/b/a ITS Billing, Inc., d/b/a ITS, d/b/a Information and Telephone Services, and d/b/a Fox Fiber Optics?

Recommendation: Yes. The Commission should approve the transfer of Certificate No. 2929 from WATS/800, Inc., d/b/a ITS, d/b/a ITS Billing, Inc., d/b/a Information and Telephone Services, and d/b/a Fox Fiber Optics to ITS Billing, Inc., d/b/a ITS Billing, Inc., d/b/a ITS, d/b/a Information and Telephone Services, and d/b/a Fox Fiber Optics.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: No. With the approval of Issues 1 and 2, this docket should remain open pending remittance of the \$20,000 payment in settlement within five business days after the order approving the settlement becomes final. Upon remittance of the \$20,000 payment, this docket should be closed. The \$20,000 payment should be forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. This docket should be closed following remittance of the payment if no person files a timely protest to the Commission's decision in Issue 2 pursuant to Rule 28-106.111, Florida Administrative Code.

APPROVED