

VOTE SHEET

FEBRUARY 16, 1999

RE: Cancellation by Florida Public Service Commission of interexchange telecommunications certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

- DOCKET NO. 981715-TI - American Express Telecom, Inc.
- DOCKET NO. 981720-TI - National Calling Plan, Inc.
- DOCKET NO. 981731-TI - Florida/U.S. Digital Networks, Inc.
- DOCKET NO. ~~981732-TI~~ - BN1 Telecommunications, Inc.
- DOCKET NO. 981738-TI - Buehner-Fry, Inc. d/b/a Resort Operator Services and d/b/a Directdial USA - *Deferred*

Issue 1: Should the Commission impose a \$500 fine or cancel the interexchange telecommunications certificates issued to each company listed on page 5 of staff's February 4, 1999 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's certificate listed on page 5 if the fine and the regulatory assessment fees, including statutory penalties and interest, are not received by the Commission within five business days after the conclusion of the 21-day protest period. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's order is not protested

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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*Susan Clark*

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REMARKS/DISSENTING COMMENTS:

*Deferred Docket*

*981738-TI*  
DOCUMENT NUMBER-DATE

*02055 FEB 16 99*

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and the fine and regulatory assessment fees, including statutory penalties and interest, are not received, the interexchange telecommunications certificates listed on page 5 should be canceled with an effective date of December 31, 1998.

**APPROVED**

*with the exception of  
Docket No. 981738-77 which was  
deferred.*

Issue 2: Should these dockets be closed?

Recommendation: Yes. If no person whose substantial interests are affected files a protest within 21 days of the issuance date of the order, the order will become final. Upon payment of the fines and fees, or cancellation of the certificate, these dockets should be closed. A protest in one docket should not prevent the action in a separate docket from becoming final.

**APPROVED**