

VOTE SHEET

APRIL 3, 2001

RE: DOCKET NO. 001109-TI - Initiation of show cause proceedings against WebNet Communications, Inc. for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, and Toll Provider Selection.

ISSUE 1: Should the Commission order WebNet Communications, Inc. to show cause why it should not be fined \$580,000 or have certificate number 7220 canceled for apparent violation of Rule 25-4.118, Florida Administrative Code, Local, Local Toll, or Toll Provider Selection?

RECOMMENDATION: Yes. The Commission should order WebNet to show cause in writing within 21 days of the issuance of the Commission's Order why it should not be fined \$580,000 or have certificate number 7220 canceled for apparent violation of Rule 25-4.118, Florida Administrative Code, Local, Local Toll, or Toll Provider Selection. The company's response should contain specific allegations of fact and law. If WebNet fails to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, within the 21-day response period, the facts should be deemed admitted, the right to a hearing should be deemed waived and the fine should be deemed assessed. If the fine is not paid within 10 business days after the end of the 21-day response period, then, in lieu of the fine, certificate number 7220 should be canceled administratively. If the fine is paid, it should be remitted by the Commission to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Samuel A. Paley
[Signature]
[Signature]
[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

04150 APR-46

FPSC-RECORDS/REPORTING

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. If staff's recommendation in Issue 1 is approved and WebNet timely responds to the Order to Show Cause, this docket should remain open pending the outcome of the show cause proceedings.

If WebNet fails to respond to the Order to Show Cause within the 21-day show cause response period and the fine is not received within ten business days after the expiration of the show cause response period, certificate number 7220 should be canceled and this docket may be closed administratively. If WebNet pays the fine recommended in Issue 1, this docket should be closed.

APPROVED