

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

AUGUST 14, 2001

RE: DOCKET NO. 001361-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No.7219 issued to PointeCom, Incorporated for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

ISSUE 1: Should the Commission vacate Order No. PSC-01-1154-AS-TI and grant cancellation of PointeCom, Incorporated's Certificate Number 7219? RECOMMENDATION: Yes. The company had filed for bankruptcy protection prior to the issuance of the Order accepting PointeCom, Incorporated's settlement offer. Therefore, the Commission should vacate Order No. PSC-01-1154-AS-TI and grant PointeCom Incorporated a bankruptcy cancellation effective May 14, 2001. In addition, the Division of the Commission Clerk & Administrative Services should not forward the 2001 RAF to the Comptroller's Office for collection.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Joseph A. Palach

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. The Order issued from this recommendation will become final upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action Order. The docket should then be closed upon cancellation of the certificate.

APPROVED