

VOTE SHEET

MAY 21, 2002

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

- Docket No. 020289-TC - Balance, Inc.
- Docket No. 020361-TC - Branch Associates, Inc.
- Docket No. 020362-TC - Proline Communications Corporation

ISSUE 1: Should the Commission grant the companies listed on Attachment A of staff's May 9, 2002 memorandum a voluntary cancellation of their respective certificates?

RECOMMENDATION: No. The Commission should not grant the companies a voluntary cancellation of their respective certificates. The Commission should cancel each company's respective certificate on its own motion with an effective date as listed on Attachment A. The collection of the past due fees should be referred to the Office of the Comptroller for further collection efforts. If the certificates for each company as listed on Attachment A are cancelled in accordance with the Commission's Order from this recommendation, the respective companies should be required to immediately cease and desist providing pay telephone services in Florida.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten Signature: Andy Bradley]

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[Handwritten Signature: J. Terry Deane]

[Handwritten Signature: Michael A. Palanski]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

05426 MAY 22 02

FPSC-COMMISSION CLERK

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ISSUE 2: Should these dockets be closed?

RECOMMENDATION: 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 issuance of the Proposed Agency Action Order. These dockets should then be closed upon issuance of a Consummating Order. A protest in one docket should not prevent the action in a separate docket from becoming final.

APPROVED