

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 15, 2002

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

- Docket No. 020654-TI - Capsule Communications, Inc.
- Docket No. 020655-TI - Atlas Communication Consultants, Inc.
- Docket No. 020656-TI - EqualNet Corporation
- Docket No. 020658-TI - CTS Telcom, Inc.
- Docket No. 020659-TI - American Telesource International, Inc.
- Docket No. 020661-TI - Federal TransTel, Inc.
- Docket No. 020662-TI - Ursus Telecom Corp.
- Docket No. 020663-TI - Blue Shift Telecom, Ltd.
- Docket No. 020676-TI - TELCAM, Telecommunications Company of the Americas, Inc.
- Docket No. 020679-TI - United Services Telephone, LLC
- Docket No. 020688-TI - Telecom Network System International, Inc. d/b/a TNS
- Docket No. 020691-TI - 2nd Century Communications, Inc.
- Docket No. 020696-TI - USC Telecom, Inc.
- Docket No. 020698-TI - i-TeleCo.com, Inc.
- Docket No. 020699-TI - Connect!LD, Inc.
- Docket No. 020704-TI - BroadRiver Communication Corporation
- Docket No. 020705-TI - MultiPhone Latin America, Inc.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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Docket No. 020716-TI - Cybertel, Communications Corp.
Docket No. 020717-TI - eVulkan, Inc. d/b/a beMANY!
Docket No. 020718-TI - Radio Communications Corporation d/b/a RCC Radio Communications Corporation
Docket No. 020723-TI - Global Broadband, Inc.
Docket No. 020728-TI - Backbone Communications Inc.
Docket No. 020729-TI - Eureka Telecom, LLC
Docket No. 020730-TI - Evolution Networks South, Inc.
Docket No. 020734-TI - Summit Telco, L.L.C.
Docket No. 020736-TI - RapTel Communications, LLC
Docket No. 020750-TI - Quick Tel, Inc.
Docket No. 020751-TI - TotalCom America Corporation
Docket No. 020752-TI - IntelleCare.FL., Inc.
Docket No. 020754-TI - Miketronics, Inc.
Docket No. 020758-TI - Aventura Networks, Inc.
Docket No. 020660-TI - Intercontinental Communications Group, Inc. d/b/a Fusion Telecom, also d/b/a Fusion - Trucker d/b/a Call-4-Less
Docket No. 020671-TI - World Telecommunications Services, Inc
Docket No. 020672-TI - Starlink Communications, LLC
Docket No. 020686-TI - Axsys, Inc./TEL PTNS
Docket No. 020690-TI - Long Distance America, Inc.
Docket No. 020693-TI - ACG Telecom Services Incorporated
Docket No. 020697-TI - Ozark Telecom, Inc.
Docket No. 020700-TI - United Technological Systems, Inc.
Docket No. 020703-TI - FairPoint Communications Solutions Corp.
Docket No. 020687-TI - iTELSA (USA), Inc.

ISSUE 1: Should the Commission impose a \$500 penalty or cancel each company's respective certificate as listed on Attachment A of staff's October 3, 2002 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.480, Florida Administrative Code?

RECOMMENDATION: Yes. The Commission should impose a \$500 penalty or cancel each company's respective certificate as listed on Attachment A for apparent violation of Rule 25-4.0161, Florida Administrative Code, incorporated by Rule 25-24.480, Florida Administrative Code, if the penalty and the Regulatory Assessment Fees, including statutory penalty and interest charges, are not received by the Commission within fourteen (14) calendar days after the issuance of the Consummating Order. The penalty 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 a company does not

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protest the Commission's Order or the penalty and Regulatory Assessment Fees, including statutory penalty and interest charges, are not received, that company's certificate, as listed on Attachment A, should be cancelled administratively and the collection of the past due fees should be referred to the Office of the Comptroller for further collection efforts. If a company's certificate, as listed on Attachment A, is cancelled in accordance with the Commission's Order from this recommendation, the respective company should be required to immediately cease and desist providing interexchange carrier telecommunications service in Florida.

APPROVED

ISSUE 2: Should the Commission impose a \$1,000 penalty or cancel each company's respective certificate as listed on Attachment B of staff's October 3, 2002 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.480, Florida Administrative Code?
RECOMMENDATION: Yes. The Commission should impose a \$1,000 penalty or cancel each company's respective certificate as listed on Attachment B for apparent violation of Rule 25-4.0161, Florida Administrative Code, incorporated by Rule 25-24.480, Florida Administrative Code, if the penalty and the Regulatory Assessment Fees, including statutory penalty and interest charges, are not received by the Commission within fourteen (14) calendar days after the issuance of the Consummating Order. The penalty 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 a company does not protest the Commission's Order or the penalty and Regulatory Assessment Fees, including statutory penalty and interest charges, are not received, that company's certificate, as listed on Attachment B, should be cancelled administratively and the collection of the past due fees should be referred to the Office of the Comptroller for further collection efforts. If a

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company's certificate, as listed on Attachment B, is cancelled in accordance with the Commission's Order from this recommendation, the respective company should be required to immediately cease and desist providing interexchange carrier telecommunications service in Florida.

APPROVED

ISSUE 3: Should the Commission cancel iTELSA (USA), Inc.'s Certificate No. 5672 as listed on Attachment C of staff's October 3, 2002 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.480, Florida Administrative Code?

RECOMMENDATION: Yes. The Commission should cancel iTELSA (USA), Inc.'s Certificate No. 5672 as listed on Attachment C for apparent violation of Rule 25-4.0161, Florida Administrative Code, incorporated by Rule 25-24.480, Florida Administrative Code. If the past due fee, including statutory penalty and interest charges, is not received within fourteen (14) calendar days after the issuance of the Consummating Order, the amount shall be turned over to the Office of the Comptroller for further collection efforts. If the Commission's Order is not protested, the company's Certificate No. 5672 as listed on Attachment C should be cancelled administratively. If iTELSA (USA), Inc.'s certificate as listed on Attachment C is cancelled in accordance with the Commission's Order from this recommendation, iTELSA (USA), Inc. should be required to immediately cease and desist providing interexchange telecommunications service in Florida.

APPROVED

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ISSUE 4: Should these dockets be closed?

RECOMMENDATION: The Orders issued from these recommendations will become final upon issuance of Consummating Orders, 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 Orders. The dockets should then be closed upon receipt of the penalty and fees or cancellation of each company's respective certificate. A protest in one docket should not prevent the action in a separate docket from becoming final.

APPROVED