

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 2, 2003

RE: Docket No. 030674-TP - Bankruptcy cancellation by Florida Public Service Commission, pursuant to request by Alex F. Mattera, counsel to the plan trustee of the debtor, of IXC Registration No. TJ320 and CLEC Certificate No. 7342 issued to essential.com, inc., effective July 16, 2003.

ISSUE 1: Should the Commission grant essential.com, inc. cancellation of its IXC Registration No. TJ320 and CLEC Certificate No. 7342 due to bankruptcy?

RECOMMENDATION: The Commission should grant the company a bankruptcy cancellation of its IXC Registration No. TJ320 and CLEC Certificate No. 7342 with an effective date of July 16, 2003. In addition, the Division of the Commission Clerk and Administrative Services will be notified that the 2001, 2002, and 2003 RAFs, including penalty and interest charges, for its IXC registration and the 2000, 2001, 2002, and 2003 RAFs, including penalty and interest charges, for its CLEC certificate, should not be sent to the Florida Department of Financial Services for collection, but that permission for the Commission to write off the uncollectible amount should be requested. If the IXC registration and CLEC certificate are cancelled

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures of majority commissioners]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

08156 SEP-28

FPSC-COMMISSION CLERK

VOTE SHEET

SEPTEMBER 2, 2003

Docket No. 030674-TP - Bankruptcy cancellation by Florida Public Service Commission, pursuant to request by Alex F. Mattera, counsel to the plan trustee of the debtor, of IXC Registration No. TJ320 and CLEC Certificate No. 7342 issued to essential.com, inc., effective July 16, 2003.

(Continued from previous page)

in accordance with the Commission's Order from this recommendation, the company should be required to immediately cease and desist providing interexchange telecommunications and competitive local exchange services in Florida.

APPROVED

ISSUE 2: Should this docket 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 the issuance of the Proposed Agency Action Order. The docket should then be closed.

APPROVED