

VOTE SHEET

SEPTEMBER 16, 2003

RE: Docket No. 030618-TX - Compliance investigation of United States Telecommunications, Inc. d/b/a Tel Com Plus for apparent violation of Rule 25-22.032(5)(a), F.A.C., Customer Complaints, and Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

ISSUE 1: Should the Commission impose a penalty of \$10,000 per apparent violation, for a total of \$20,000, on United States Telecommunications, Inc. d/b/a Tel Com Plus for two apparent violations of Rule 25-22.032(5)(a), Florida Administrative Code, Customer Complaints, to be paid to the Florida Public Service Commission within 14 calendar days after the issuance of the Consummating Order?

RECOMMENDATION: Yes. If United States Telecommunications, Inc. d/b/a Tel Com Plus fails to timely protest the Commission's Order and fails to pay the \$20,000 penalty within 14 calendar days after the issuance of the Consummating Order, Certificate No. 5586 should be canceled and the company should also be required to immediately cease and desist providing competitive local exchange telecommunications service in Florida.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the Majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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ISSUE 2: Should the Commission impose a \$1,000 penalty on United States Telecommunications, Inc. d/b/a Tel Com Plus or cancel Certificate No. 5586 for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.835, Florida Administrative Code, Rules Incorporated, to be paid to the Florida Public Service Commission within 14 calendar days after the issuance of the Consummating Order?

RECOMMENDATION: Yes. If United States Telecommunications, Inc. d/b/a Tel Com Plus fails to timely protest the Commission's Order and fails to pay the \$1,000 penalty and the Regulatory Assessment Fees, including statutory penalty and interest charges, within 14 calendar days after the issuance of the Consummating Order, Certificate No. 5586 should be canceled, and the company should also be required to immediately cease and desist providing competitive local exchange telecommunications service in Florida. If the Regulatory Assessment Fees, including statutory penalty and interest charges, are not received in accordance with the Commission's Order, the collection of the past due fees should be referred to the Department of Financial Services for further collection efforts.

APPROVED

ISSUE 3: 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. If the Commission's Order is not protested, this docket should be closed upon receipt of the payment of the penalties and fees or the cancellation of the company's certificate.

APPROVED