

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 30, 2003

RE: Cancellation by Florida Public Service Commission of PATS certificates for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

Docket No. 030694-TC - VisionComm, Inc. d/b/a Vision Communications of Delaware, Inc.

Docket No. 030709-TC - OL Corporation

Docket No. 030723-TC - T. Todd

Docket No. 030744-TC - Digi Communications, Inc.

ISSUE 1: Should the Commission impose a total penalty of \$1,000 (\$500 for each rule violation) or cancel each company's respective certificate, as listed on Attachment A of staff's September 18, 2003 memorandum, for apparent violation of Rules 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, Florida Administrative Code, Reporting Requirements?

RECOMMENDATION: The Commission should impose a total penalty of \$1,000 (\$500 for the RAFs violation and \$500 for the Reporting Requirements violation) or cancel each company's respective certificate, as listed on Attachment A of staff's memorandum, for apparent violation of Rule 25-4.0161, Florida Administrative Code, if the penalty, Regulatory Assessment

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners on five horizontal lines.

Five horizontal lines for dissenting signatures, currently blank.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

09435 OCT-18

FPC-COMMISSION CLERK

VOTE SHEET

SEPTEMBER 30, 2003

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(Continued from previous page)

Fees, including statutory penalty and interest charges, and the information required by Rule 25-24.520, Florida Administrative Code, are not received by the Commission within fourteen (14) calendar days after the issuance of the Consummating Order. The total penalty of \$1,000 should be paid to the Florida Public Service Commission. If a company does not protest the Commission's Order or the penalty and Regulatory Assessment Fees, including statutory penalty and interest charges, and required information 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 Florida Department of Financial Services 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 pay telephone service in Florida.

APPROVED

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 the issuance of the Proposed Agency Action Order. The dockets should then be closed upon receipt of the penalties, fees, and required information 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