

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MAY 3, 2004

RE: Docket No. 040210-TI - Compliance investigation of Global Crest Communications, Inc. d/b/a Dimensions for apparent violation of Section 364.02(13), Florida Statutes, Definitions.

Issue 1: Should the Commission impose a penalty on Global Crest Communications, Inc. d/b/a Dimensions of \$10,000 per apparent violation, for a total of \$60,000, for six apparent violations of Section 364.02(13), Florida Statutes, Definitions?

Recommendation: Yes.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners on a set of five horizontal lines.

Four empty horizontal lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

Commissioner Davidson participated in the conference by telephone. He agreed with the majority vote and will sign the vote sheet upon return to the office.

He did not dissent from the DATE

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Issue 2: Should this docket be closed?

Recommendation: The Order issued from this recommendation will become final and effective upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest that identifies with specificity the issues in dispute, in the form provided by Rule 28-106.201, Florida Administrative Code, within 21 days of the issuance of the Proposed Agency Action Order. As provided by Section 120.80(13)(b), Florida Statutes, any issues not in dispute should be deemed stipulated. If Dimensions fails to timely file a protest and to request a Section 120.57, Florida Statutes hearing, the facts should be deemed admitted, the right to a hearing waived, and the penalty should be deemed assessed. If Dimensions fails to pay the penalty within fourteen (14) calendar days after the issuance of the Consummating Order, Dimensions' tariff should be cancelled and Registration Number TJ437 should be removed from the register and the company should be required to immediately cease and desist providing intrastate interexchange telecommunications service in Florida. This docket should be closed administratively upon either the receipt of the payment of the penalty, or upon cancellation of the company's tariff and removal of Registration Number TJ473 from the register.

APPROVED