

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JULY 19, 2005

RE: Docket No. 030696-TI - Compliance investigation of 9278 Communications, Inc. for apparent violation of Sections 364.02 and 364.04, Florida Statutes.

Issue 1: Should the Commission accept the settlement offer submitted by 9278 Communications, Inc. to resolve the company's apparent violation of Sections 364.02 and 364.04, Florida Statutes?

Recommendation: Yes.

APPROVED

COMMISSIONERS ASSIGNED: Deason, Bradley, Edgar

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Edgar
Bradley
Deason

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

06884 JUL 19 05

FPSC-COMMISSION CLERK

VOTE SHEET

JULY 19, 2005

Docket No. 030696-TI - Compliance investigation of 9278 Communications, Inc. for apparent violation of Sections 364.02 and 364.04, Florida Statutes.

(Continued from previous page)

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. This docket should be closed administratively upon receipt of the final payment of the voluntary contribution, and confirmation that the company complied with the terms contained in its settlement agreement. If 9278 Communications fails to pay the total amount of the voluntary contribution and comply with the terms in accordance with its settlement agreement, action will be taken pursuant to the provisions in paragraph 6 of that agreement. If 9278 Communications fails to cure any default pursuant to the provisions of paragraph 6 of the settlement agreement, the settlement agreement shall be considered null and void and this docket should remain open pending further action.

APPROVED