

VOTE SHEET

February 28, 2006

Docket No. 050960-TP – Request for cancellation of CLEC Certificate No. 7493 and for acknowledgment of cancellation of IXC Registration No. TJ376 effective December 27, 2005, by U.S. TelePacific Corp. d/b/a TelePacific Communications.

**Issue 1:** Should the Commission deny U.S. TelePacific Corp. d/b/a TelePacific Communications a voluntary cancellation of its competitive local exchange company (CLEC) Certificate No. 7493 and IXC tariff and Registration No. TJ376 and cancel the certificate and tariff and remove the company’s name from the register on the Commission’s own motion with an effective date of December 27, 2005?

**Recommendation:** Yes. The company should be denied a voluntary cancellation as listed on Attachment A of staff’s February 16, 2006 memorandum.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

*Katrina J. Sew*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

01710 FEB 28 06

Vote Sheet

February 28, 2006

Docket No. 050960-TP – Request for cancellation of CLEC Certificate No. 7493 and for acknowledgment of cancellation of IXC Registration No. TJ376 effective December 27, 2005, by U.S. TelePacific Corp. d/b/a TelePacific Communications.

(Continued from previous page)

**Issue 2:** Should this docket be closed?

**Recommendation:** Staff recommends that 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 the company fails to timely file a protest and to request a Section 120.57, Florida Statutes, hearing, the facts should be deemed admitted and the right to a hearing waived. If the company fails to pay the Regulatory Assessment Fees within fourteen (14) calendar days after the issuance of the Consummating Order, the company's CLEC certificate and IXC tariff should be cancelled administratively, the company's name should be removed from the register, and the collection of the past due Regulatory Assessment Fees should be referred to the Florida Department of Financial Services for further collection efforts. If the company's CLEC certificate and IXC tariff are cancelled and its name removed from the register in accordance with the Commission's Order from this recommendation, the company should be required to immediately cease and desist providing competitive local exchange and intrastate interexchange telecommunications service in Florida. This docket should be closed administratively either upon receipt of the payment of the Regulatory Assessment Fees or upon cancellation of the company's CLEC certificate and IXC tariff and removal of its name from the register.

**APPROVED**