

VOTE SHEET

DATE: May 6, 1997

RE: DOCKET NO. 970389-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4492 held by Counterbalance Investments, Inc. for violation of Rule 25-24.520(1)(a) and (b), F.A.C., Reporting Requirements, and Rule 25-4.0161, F.A.C., Regulatory Assessment Fees.

DOCKET NO. 970390-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3776 held by Tele-Ven, Inc. for violation of Rule 25-24.520(1)(a) and (b), F.A.C., Reporting Requirements, and Rule 25-4.0161, F.A.C., Regulatory Assessment Fees.

Issue 1: Should the Commission cancel the certificates of Counterbalance Investments, Inc. and Tele-Ven, Inc. if they fail to pay a \$250 fine within 30 days of the date the order becomes final, submit the regulatory assessment fee, along with the statutory penalties and interest charges, as required by Rule 25-4.0161, F.A.C., Regulatory Assessment Fees, and provide staff with the correct mailing address, liaison information and other information as required by Rules 25-24.480(2)(a) and (b), F.A.C.; Records and Reports; Rules Incorporated?

Recommendation: Yes. Collected fines are to be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the General Revenue Fund pursuant to 364.285(1), F.S.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in the majority column]*

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REMARKS/DISSENTING COMMENTS:

Vote Sheet

Dockets Nos. 970389-TC, 970390-TC

May 6, 1997

**Issue 2:** Should these dockets be closed?

**Recommendation:** Yes. These dockets should be closed if no person whose substantial interests are affected files a protest within 21 days of issuance of the order. If no timely protest is filed, the certificates should be canceled and these dockets closed at the conclusion of the 30-day period after the order becomes final. If a company pays the \$250 fine, submits the regulatory assessment fee, along with the statutory penalties and interest charges, and provides the information required, the docket should be closed. A protest of one docket should not prevent this order from becoming final for the other docket.

**APPROVED**