

VOTE SHEET

JULY 15, 1997

RE: DOCKET NO. 961309-TI - Application for certificate to provide interexchange telecommunications service by Vendormatic, Inc. d/b/a HSS Vending Distributors, and initiation of show cause proceedings for violation of Rule 25-24.470, F.A.C., Certificate of Public Convenience and Necessity Required.

Issue 1: Should the Commission grant Vendormatic, Inc. d/b/a HSS Vending Distributors (HSS) a certificate to provide statewide interexchange telecommunications service within the State of Florida as provided by Section 364.377(3), Florida Statutes?

Recommendation: Yes. HSS should be granted Certificate No. 4801.

MODIFIED

Approved with modification that certificate be held in abeyance pending resolution of show cause proceeding.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

07092 JUL 16 5

PROC-REGISTRATION/REPORTING

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Issue 2: Should Vendormatic, Inc. d/b/a HSS Vending Distributors (HSS) be ordered to show cause why it should not be fined \$25,000 pursuant to Section 364.285, Florida Statutes, for apparent violation of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required?

Recommendation: Yes. The Commission should require HSS to show cause in writing within 20 days of the issuance of the Commission's order why it should not be fined \$25,000 for apparent violation of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required. The company's response must contain specific allegations of fact of law. If HSS fails to respond to the show cause, the fine will be deemed assessed. If the fine is not paid after reasonable collection efforts by the Commission, it should be forwarded to the Office of the Comptroller for collection. If the fine is paid, it will be remitted by the Commission to the Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: No. The docket should remain open pending resolution of the show cause proceeding, and the processing of any protest to Issue 1 that may be filed within 21 days of the issuance of the order by a person whose substantial interests are affected by the Commission's proposed agency action. If no protest to the Commission's decision in Issue 1 is filed, that portion of the order will be final and the certificate can be Issued.

APPROVED