

VOTE SHEET

NOVEMBER 18, 1997

RE: DOCKET NO. 97130(-TI - Initiation of show cause proceedings against Heartline Communications, Inc. for violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries; Rule 25-4.019, F.A.C., Records and Reports in General; and Rule 25-24.480(2)(a)(b), F.A.C., Records and Reports; Rules Incorporated.

Issue 1: Should the Commission order Heartline Communications, Inc., to show cause why it should not be fined \$10,000 for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries; \$15,000 for apparent violation of Rule 25-4.019, Florida Administrative Code, Records and Reports in General; and \$500 for apparent violation of Rules 25-24.480(2)(a) and (b), Records & Reports; Rules Incorporated, or have its Certificate No. 3494 canceled?

Recommendation: Yes. The Commission should require Heartline to show cause in writing within 20 days of issuance of the Commission's order why it should not be fined \$10,000 for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries; \$15,000 for apparent violation of Rule 25-4.019, Florida Administrative Code, Records and Reports in General; and \$500 for apparent violation of Rules 25-24.480(2)(a) and (b), Records & Reports; Rules Incorporated, or have its Certificate No. 3494 canceled. If Heartline fails to respond to the Commission's show cause order, the fines should be deemed assessed. If the fines are not paid within five business days of expiration of the show

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column: Joe Marcus, Susan Clark, J. D. [unclear], J. Terry Dean, and John K. [unclear].

Four horizontal lines in the dissenting column, all of which are blank.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE
11839 NOV 19 97
FPSC-RECORDS/REPORTING

VOTE SHEET

NOVEMBER 18, 1997

DOCKET NO. 971306-TI - Initiation of show cause proceedings against Heartline Communications, Inc. for violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries; Rule 25-4.019, F.A.C., Records and Reports in General; and Rule 25-24.480(2)(a)(b), F.A.C., Records and Reports; Rules Incorporated.

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cause response period, Heartline's certificate should be canceled. If the fines are paid, they should be forwarded to the Office of the Comptroller for deposit in the Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

APPROVED

Issue 2: Should the Commission order all certificated interexchange companies (IXCs) to discontinue providing interexchange telecommunications service to Heartline pursuant to Rule 25-24.4701(3), Florida Administrative Code, if Certificate No. 3494 is canceled?

Recommendation: Yes. Pursuant to Rule 25-24.4701(3), Florida Administrative Code, the Commission should order all certificated interexchange companies to discontinue providing interexchange telecommunications service to Heartline if Heartline's certificate is canceled as the result of the Commission's action in Issue 1. The order should state that any IXC providing service to Heartline must contact the Commission at the conclusion of the show cause response period set forth in the order to determine whether the certificate has been canceled.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: This docket should remain open pending resolution of the show cause proceeding. If, however, Heartline fails to respond to the Commission's order to show cause, the company's certificate should be canceled and this docket closed administratively.

APPROVED