State of Florida
-M-E-M-O-R-A-N-D-U-M-

Public Service Commission

DATE: December 12, 1997

TO: Mary Bane, Deputy Executive Director

FROM: Will Cox, Division of Legal Services WCB for WPC
Kelly Biegalski, Division of Communications KB

RE: Withdrawal of Item 25 971340-TC

Staff requests that Item 25 be withdrawn from the December 16, 1997 Agenda Conference. The company was informed by staff that a fine would not be recommended if it paid the regulatory assessment fees, along with statutory penalties and interest. Since that conversation, the company has paid the regulatory assessment fees, penalties and interest. Staff that prepared the recommendation for Item 25 was not aware of the conversation that took place earlier, and believes under these circumstances it would be inappropriate to assess a fine, since the company was led to believe that payment of the fees and statutory penalties was sufficient. Therefore, staff feels it is necessary to withdraw this item from the Agenda Conference and close the docket.

Recommend Approval
MMB.

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