

VOTE SHEET

JANUARY 6, 1998

RE: DOCKET NO. 971381-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4554 issued to Avista Properties II, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees, and Rule 25-24.520, F.A.C., Reporting Requirements.

Issue 1: Should the Commission impose a \$500 fine or cancel Avista's Pay Telephone Certificate No. 4554 for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel the company's certificate if the fine and the regulatory assessment fees, including statutory penalties and interest, are not received by the Commission within 5 business days after the conclusion of the 21-day protest period. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's order is not protested and the fine and the regulatory assessment fees, including statutory penalties and interest, are not received, Certificate Number 4554 should be canceled.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

00228 JAN-7 98

FPSC-RECORDS/REPORTING

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Issue 2: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected files a protest within 21 days of issuance of the order, the order will become final. Upon payment of the fines and fees, or cancellation of the certificate, this docket should be closed.

APPROVED