

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JANUARY 20, 1998

RE: DOCKET NO. 971489-TI - Initiation of show cause proceedings against Home Owners Long Distance Incorporated for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.

Issue 1: Should the Commission order Home Owners Long Distance Incorporated to show cause why it should not have Certificate Number 3189 canceled or be fined \$10,000 per violation for a total of \$2,140,000 for failure to comply with Rule 25-4.118, Florida Administrative Code, Interexchange Carrier Selection?

Recommendation: Home Owners' certificate number 3189 should not be canceled at this time. The Commission should order Home Owners to show cause in writing within 20 days of the effective date of the order why it should not be fined \$10,000 per violation for a total of \$2,140,000 for failure to comply with Rule 25-4.118, Florida Administrative Code. Any collected fine monies should be forwarded to the Office of the Comptroller for deposit in the state General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

**DEFERRED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

*To a later Commission  
Conference*

DOCUMENT NUMBER-DATE

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Issue 2: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 1 is approved, then Home Owners will have 20 days from issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed. If Home Owners timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If Home Owners does not respond to the Commission's Order to Show Cause, the fines should be assessed. While staff does not recommend in Issue 1 that Home Owners' certificate be canceled for slamming violations at this time, staff does recommend that, if Home Owners fails to respond to the Order to Show Cause and the fines are not received within five business days after expiration of the show cause response period, Home Owners' certificate should be canceled and this docket closed administratively.