

VOTE SHEET

APRIL 7, 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 apparent violation for a total of \$1,010,000 for apparent failure to comply with Rule 25-4.118, Florida Administrative Code, Interexchange Carrier Selection?

Recommendation: Yes. 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 apparent violation for a total of \$1,010,000 or have its certificate canceled for apparent failure to comply with Rule 25-4.118, Florida Administrative Code. All 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.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

04012 APR-78

FILED RECORDS/REGISTRATION

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Issue 2: Should the Commission accept the settlement offer proposed by Home Owners Long Distance Incorporated to resolve the apparent violations of Rule 25-4.118, Florida Administrative Code, Interexchange Carrier Selection?

Recommendation: No. The Commission should not accept the settlement offer proposed by Home Owners.

APPROVED

Issue 3: 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 penalties should be deemed assessed. 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. If staff's recommendation in Issue 1 is not approved and the settlement offer is accepted, this docket should be closed upon remittance of the \$80,000 settlement. The \$80,000 settlement 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.

APPROVED