

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 30, 1998

RE: DOCKET NO. 980707-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 5002 issued to Penn Boys Legend Telecom, Inc. for violation of Rule 25-24.043, F.A.C., Response to Commission Staff Inquiries, and Rule 25-24.520, F.A.C., Reporting Requirements.

Issue 1: Should the Commission impose a \$10,000 fine or cancel PBLTI's Pay Telephone Certificate No. 5002 for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries?

Recommendation: Yes. The Commission should impose a \$10,000 fine for failure to respond to the Commission or cancel the company's certificate if the fine is not received by the Commission within 5 business days after 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 is not received, Certificate Number 5002 should be canceled.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

[Empty lines for dissenting signatures]

REMARKS/DISSENTING COMMENTS: Commissioner Garcia participated by *video* telephone. He concurred /dissented in the majority vote and will sign the vote sheet upon his return to Tallahassee.

Teleconference.

DOCUMENT NUMBER-DATE

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(Continued from previous page)

Issue 2: Should the Commission impose a \$500 fine or cancel PBLTI's Pay Telephone Certificate No. 5002 for apparent violation of Rule 25-24.520, Florida Administrative Code, Reporting Requirements?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel the company's certificate if the fine and information required by Rule 25-24.520, Florida Administrative Code, are not received by the Commission within 5 business days after 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 required information and fine are not received, Certificate Number 5002 should be canceled.

APPROVED

Issue 3: 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, and receipt of the required information, or cancellation of the certificate, this docket should be closed.

APPROVED