

VOTE SHEET

JANUARY 19, 1999

RE: Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

- DOCKET NO. 981527-TC - George Braun d/b/a Magnolia Phone Co.
- DOCKET NO. 981528-TC - Edward DeMatteis
- DOCKET NO. 981529-TC - Sasmar Telecom, Inc.
- DOCKET NO. 981530-TC - Michael Anthony DiPersio d/b/a Mana-Tel Payphones

Issue 1: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to each company listed on page 8 of staff's January 7, 1999 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's certificate as listed on page 8 of staff's memorandum if the fine and the regulatory assessment fees, including statutory penalties and interest, are not received by the Commission within five 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

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE  
 00927 JAN 22 99  
 FPSC-RECORDS/REPORTING

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Section 364.285(1), Florida Statutes. If the Commission's order is not protested and the fine and regulatory assessment fees, including statutory penalties and interest, are not received, the pay telephone certificate numbers listed on page 8 of staff's memorandum should be canceled with an effective date of December 31, 1998.

**APPROVED**

Issue 2: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to each company listed on page 8 of staff's memorandum 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 companies' respective certificate numbers if the information required by Rule 25-24.520, F.A.C. and fine are not received by the Commission within five 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 required information and fine are not received, the pay telephone certificate numbers listed on page 8 of staff's memorandum should be canceled with an effective date of December 31, 1998.

**APPROVED**

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Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

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Issue 3: Should these dockets be closed?

Recommendation: Yes. If no person whose substantial interests are affected files a protest within 21 days of the issuance date of the order, the order will become final. Upon payment of the fines and fees, or cancellation of the certificates, these dockets should be closed. A protest in one docket should not prevent the action in a separate docket from becoming final.

**APPROVED**