

VOTE SHEET

FEBRUARY 2, 1999

RE: DOCKET NO. 981592-TC - Initiation of show cause proceedings against TriTel, Inc. for violation of Rule 25-24.510, F.A.C., Certificate of Public Convenience and Necessity Required and application for certificate to provide pay telephone service by TriTel, Inc.

Issue 1: Should the Commission order TriTel to show cause why it should not be fined \$25,000 for apparent failure to comply with Rule 25-24.510, Florida Administrative Code, Certificate of Public Convenience and Necessity?

Recommendation: Yes. Staff recommends the Commission order TriTel to show cause in writing within 21 business days of issuance of the Commission's order why it should not be fined \$25,000 for apparent operation without a certificate as required by Rule 25-24.510, Florida Administrative Code, Certificate of Public Convenience and Necessity. The company's response must contain specific allegations of fact or law. If TriTel fails to respond timely to this show cause order, the fine shall be deemed assessed. If the fine is not paid within five business days after the expiration of the show cause response period after reasonable collection efforts by the Commission, this matter shall be forwarded to the Office of the Comptroller for collection. If the fine is paid, it will be remitted by the Commission to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

Issue 1 withdrawn.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]
Susan Clark
[Other illegible signatures]

REMARKS/DISSENTING COMMENTS:

[Handwritten lines for remarks, mostly illegible]

DOCUMENT NUMBER-DATE

01485 FEB-58

FPSC-RECORDS/REPORTING

✓ VOTE SHEET

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Issue 2: Should the Commission grant TriTel a certificate to provide pay telephone service?

Recommendation: Yes. Staff recommends that TriTel be granted a certificate of public convenience and necessity.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 1 is approved, then TriTel will have 21 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 TriTel timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. The docket should also remain open to process any protest to Issue 2 that may be filed within 21 days of issuance of the order by a person whose substantial interest is affected by the Commission's proposed agency action.

APPROVED