

VOTE SHEET

FEBRUARY 2, 1999

RE: DOCKET NO. 971490-TI - Initiation of show cause proceedings against Excel Telecommunications, Inc. for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.

Issue 1: Should the Commission grant Excel's Motion for More Definite Statement?

Recommendation: If the Commission approves Excel's Settlement Offer, the Motion for More Definite Statement will become moot.

APPROVED

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

Recommendation: Yes.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the Majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

01486 FEB-58

FPSC-RECORDS/REPORTING

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Issue 3: Should this docket be closed?

Recommendation: No. With the approval of Issue 2, this docket should remain open pending remittance of the \$68,000 voluntary contribution within five business days after the order approving the settlement becomes final. Upon remittance of the settlement payment, this docket should be closed. The \$68,000 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