

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

FEBRUARY 2, 1999

RE: DOCKET NO. 981868-TI - Initiation of show cause proceedings against Colorado River Communications Corp. for apparent violation of Rule 25-24.485, F.A.C., Tariffs, and Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

Issue 1: Should the Commission order Colorado River Communications Corp. to show cause in writing why a fine of \$250 for apparent violation of Rule 25-24.485, Florida Administrative Code, and \$10,000 for apparent violation of Rule 25-4.043, Florida Administrative Code, should not be assessed or Certificate No. 3565 should not be canceled?

Recommendation: Yes. The Commission should require Colorado to show cause in writing within 21 days of issuance of the Commission's order why it should not be fined \$250 for apparent violation of Rule 25-24.485, Florida Administrative Code, and \$10,000 for apparent violation of Rule 25-4.043, Florida Administrative Code or Certificate No. 3565 should not be canceled. The company's response should contain specific allegations of fact or law. If Colorado fails to respond to the show cause, the fines should be deemed assessed. If the fines are not paid within five business days after the order becomes final, Certificate No. 3565 should be canceled. If the fines are paid, they should be remitted by the Commission to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in blue ink: Susan J. Clark, Joe Garcia, and others]

REMARKS/DISSENTING COMMENTS:

[Handwritten signature]

DOCUMENT NUMBER-DATE

01489 FEB-5 99

FPSC-RECORDS/REPORTING

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Issue 2: Should this docket be closed?

Recommendation: This docket should remain open pending resolution of the show cause proceeding. If, however, Colorado fails to respond to the Commission's order to show cause, or pay the fines assessed within five business days after expiration of the show cause response period, the company's certificate should be canceled and this docket closed administratively.

APPROVED