

VOTE SHEET

FEBRUARY 2, 1999

RE: DOCKET NO. 981273-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4368 issued to James M. Bracewell d/b/a Southern Tele-Communications for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Issue 1: Should the Commission accept the settlement offer proposed by Southern Tele-Communications to resolve the apparent violations of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Primary Recommendation: No. The Commission should not accept Southern Tele-Communications' settlement offer as proposed. The Commission should accept the settlement amount of \$500, but instead of allowing the company to pay the settlement in installments, the Commission should require the company to pay the fine in one lump sum. Any contribution should be paid by the company within five business days from the effective date of the Commission order. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

**DENIED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures of majority commissioners]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

0-1011 FEB-5 99

FPSC-RECORDS/REPORTING

VOIE SHEET

FEBRUARY 2, 1999

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(Continued from previous page)

Alternative Recommendation: Yes. The Commission should accept Southern Tele-Communications' settlement offer. Any contribution should be paid in installments of \$50 per month and be received by the Commission by the 28th of each month until paid. The first \$50 installment should be received by the Commission by March 28, 1999. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

**APPROVED**

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's primary recommendation in Issue 1, and upon remittance of the \$500 contribution, this docket should be closed. No, if the Commission approves staff's alternative recommendation in Issue 1, this docket should remain open pending staff's verification of the installment contribution. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Staff should be given administrative authority to close the docket upon verification that all installment payments have been made.

**APPROVED**