

VOTE SHEET

MARCH 16, 1999

RE: DOCKET NO. 981952-TX - Cancellation by Florida Public Service Commission of ALEC Certificate No. 4815 issued to Digital Cable, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Issue 1: Should the Commission impose a \$500 fine or cancel Digital Cable, Inc.'s certificate 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 the company's certificate 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 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, ALEC Certificate No. 4815 should be canceled with an effective date of December 31, 1998.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column, including names like Susan F. Clark and Joe S. Farina.

Empty lines in the dissenting column.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

03400 MAR 17 99

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(Continued from previous page)

Issue 2: Should this docket 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 fine and fees, or cancellation of the certificate, this docket should be closed.

**APPROVED**