

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MAY 4, 1999

RE: DOCKET NO. 981294-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4606 issued to Vertex Enterprize & Investment, 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 the company's certificate for apparent violation of Rule 25-24.520, Florida Administrative Code, Reporting Requirements?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel the company's certificate if the information required by Rule 25-24.520, F.A.C. and fine 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 required information and fine are not received, the company's pay telephone certificate 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]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

05659 MAY-5 99

FPSC-RECORDS/REPORTING

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Issue 2: Should the Commission impose a \$10,000 fine or cancel the company's certificate for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries?

Recommendation: Yes. The Commission should impose a \$10,000 fine or cancel the company's certificate if the fine and response to staff's request for information as required by Rule 25-4.043, F.A.C. 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 required response and fine are not received, the company's certificate should be canceled with an effective date of December 31, 1998.

APPROVED

Issue 3: Should the Commission impose a \$20,000 fine or cancel the company's certificate for failure to comply with Commission Order PSC-99-0339-AS-TC?

Recommendation: Yes. The Commission should impose a \$20,000 fine or cancel the company's certificate if the company does not pay the fine or comply with Order No. PSC-99-0339-AS-TC 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 required response and fine are not received, the company's certificate should be canceled with an effective date of December 31, 1998.

APPROVED

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Issue 4: 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 fines, or cancellation of the certificate, this docket should be closed.

APPROVED