

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 1, 1999

RE: DOCKET NO. 981643-TP - Initiation of show cause proceedings against USA Tele Corp. for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.

Issue 1: Should the Commission order USA to show cause why it should not have Certificate Number 3491 canceled, or be fined \$10,000 per apparent violation for a total of \$150,000, for apparent failure to comply with Rule 25-4.118, Florida Administrative Code, Interexchange Carrier Selection?

Recommendation: Yes. The Commission should order USA to show cause in writing, within 21 days of the issuance date of the Commission's order, why it should not be fined \$10,000 per apparent violation for a total of \$150,000, or have its certificate canceled, for apparent failure to comply with Rule 25-4.118, Florida Administrative Code. Any collected fine monies 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.

**DEFERRED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REMARKS/DISSENTING COMMENTS:

*Staff to advise*

DOCUMENT NUMBER-DATE

06726 Jun 1 8

FPSC-RECORDS/REPORTING

-VOTE SHEET

JUNE 1, 1999

DOCKET NO. 981643-TP - Initiation of show cause proceedings against USA Tele Corp. for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.

(Continued from previous page)

Issue 2: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 1 is approved, then USA will have 21 days from the issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed or have its certificate canceled. If USA timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If USA does not respond to the Commission's Order to Show Cause, the fines should be deemed assessed. While staff does not recommend in Issue 1 that USA's certificate be canceled for slamming violations at this time, staff does recommend that if USA fails to respond to the Order to Show Cause within five business days after the expiration of the show cause response period, USA's certificate should be canceled and this docket closed.