

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JULY 6, 1999

RE: DOCKET NO. 990780-TC - Initiation of show cause proceedings against Sky Shell, Inc. for apparent violation of Rule 25-24.515, F.A.C., Pay Telephone Service.

Issue 1: Should Sky Shell, Inc. be ordered to show cause why a fine of \$1200 for apparent violations of Rule 25-24.515, Florida Administrative Code, Pay Telephone Service, should not be imposed or Certificate No. 4246 should not be canceled?

Recommendation: Yes. The Commission should order Sky Shell to show cause in writing within 21 days of the date of the order why it should not have Certificate No. 4246 canceled or be fined \$1200 for apparent violation of Rule 25-24.515, Florida Administrative Code. Sky Shell's response must contain specific allegations of fact or law. If Sky Shell fails to respond to the show cause, and the fine is not paid after reasonable collection efforts by the Commission, Certificate No. 4246 should be canceled. If the fine is paid it will 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 majority column]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

08074 JUL-69

FPSC-RECORDS/REPORTING

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Issue 2: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 1 is approved, then Sky Shell will have 21 days from 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 Sky Shell timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If the fine is paid, it should be forwarded to the Office of the Comptroller for deposit in the General Revenue Fund pursuant to Section 364.285(1), Florida Statutes, and this docket should be closed. Staff recommends that if Sky Shell fails to respond to the Order to Show Cause, and the fine is not received within five business days after expiration of the show cause response period, Sky Shell's certificate should be canceled and this docket closed.

**APPROVED**