

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 5, 1999

RE: DOCKET NO. 990995-TI - Initiation of show cause proceedings against May Systems, Inc. for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

Issue 1: Should May Systems, Inc. (May Systems) be ordered to show cause why a fine of \$10,000 for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries, should not be imposed or Certificate Number 6086 canceled?

Recommendation: Yes. The Commission should order May Systems to show cause in writing, within 21 days of the date of the order, why it should not be fined \$10,000 or have Certificate Number 6086 canceled for apparent violation of Rule 25-4.043, Florida Administrative Code. May Systems' response must contain specific allegations of fact or law. If May Systems fails to respond to the show cause, Certificate Number 6086 should be involuntarily canceled.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]

[Empty lines for dissenting signatures]

REMARKS/DISSENTING COMMENTS:

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Issue 2: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 1 is approved, then May Systems 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 May Systems timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If May Systems does not respond to the show cause order within five business days after expiration of the show cause response period, then May Systems' certificate should be canceled. This docket may then be closed administratively.

APPROVED