

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 19, 1999

RE: Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

- DOCKET NO. 991133-TC - Iyamu Reuben
- DOCKET NO. 991135-TC - Kirt R. Foster d/b/a Seacom
- DOCKET NO. 991142-TC - Seth Sauberman
- DOCKET NO. 991143-TC - Ocala Tel Com Inc.
- DOCKET NO. 991145-TC - Charles Schelmety

Issue 1: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to the companies listed on page 6 of staff's October 7, 1999 memorandum 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 each company's respective certificate listed on page 6 if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after issuance of the Consummating Order. 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

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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*Susan Clark*  
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*J. Terry Dean*  
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REMARKS/DISSENTING COMMENTS:

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and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the pay telephone certificates listed on page 6 should be canceled administratively.

**APPROVED**

Issue 2: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to the companies listed on page 6 for apparent violation of Rule 25-24.520, Florida Administrative Code, Reporting Requirements?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's respective certificate listed on page 6 if the information required by Rule 25-24.520, F.A.C., Reporting Requirements, and fine are not received by the Commission within five business days after issuance of the Consummating Order. 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 required information are not received, the pay telephone certificates listed on page 6 should be canceled administratively.

**APPROVED**

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Issue 3: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed upon receipt of the fines, fees, and required information or cancellation of the certificate, unless a person whose substantial interests are affected by Commission's decision files a protest within 21 days of the issuance of the proposed agency action order. A protest in one docket should not prevent the action in a separate docket from becoming final.

**APPROVED**