

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 30, 1999

RE: Cancellation by Florida Public Service Commission of interexchange telecommunications certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 991511-TI - USLD Acquisition Corp. II d/b/a Omni Communications, Inc.

DOCKET NO. 991530-TI - NeTel, Inc. d/b/a Tel3

Issue 1: Should the Commission impose a \$500 fine or cancel the interexchange telecommunications certificates issued to each company listed on page 4 of staff's November 18, 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 certificate listed on page 4 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

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column: Susan J. Clark, Joe Garcia, J. Terry Dean, and another signature.

Empty lines in the dissenting column for signatures.

REMARKS/DISSENTING COMMENTS:

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Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the interexchange telecommunications certificate numbers listed on page 4 should be canceled administratively.

APPROVED

Issue 2: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed upon receipt of the fine and fees or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of issuance of the proposed agency action order.

APPROVED