

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

FEBRUARY 15, 2000

RE: DOCKET NO. 991319-TX - Initiation of show cause proceedings against ACSI Local Switched Services, Inc. d/b/a e.spire Communications, Inc. for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

DOCKET NO. 991756-TI - Initiation of show cause proceedings against ACSI Local Switched Services, Inc. d/b/a e.spire Communications, Inc. for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

DOCKET NO. 991757-TX - Initiation of show cause proceedings against American Communication Services of Jacksonville, Inc. d/b/a e.spire Communications, Inc. for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

Issue 1: Should the Commission accept the settlement offer proposed by e.spire Communications, Inc. (e.spire) on behalf of ACSI Local Switched Services, Inc. d/b/a e.spire Communications, Inc. (Company Code TX139), ACSI Local Switched Services, Inc. d/b/a e.spire Communications, Inc. (Company Code TJ058), and American Communication Services of Jacksonville, Inc. d/b/a e.spire Communications, Inc. (Company Code TX040) to resolve the show cause proceedings for apparent violations of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries?

Recommendation: Yes. Staff believes the terms of the settlement agreement as summarized in this recommendation are fair and reasonable, and we support the voluntary contribution to the General Revenue Fund pursuant to Section 364.285, Florida Statutes, in the amount of \$6,500.00. The contribution should be received by the Commission within 30 days from the date of the Commission Order and should identify the docket numbers and the names of the companies. The Commission should forward the contribution to

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of three commissioners in the majority column.

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02065 FEB 16 8

FPSC-RECORDS/REPORTING

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the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the company fails to pay in accordance with the terms of the Commission Order, the companies' certificates should be canceled administratively.

APPROVED

Issue 2: Should these dockets be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, these dockets should be closed upon receipt of the \$6,500 contribution or cancellation of the certificates.

APPROVED