

VOTE SHEET

FEBRUARY 15, 2000

RE: DOCKET NO. 991345-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 5971 issued to THETA COMM, INC. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Issue 1: Should the Commission accept the settlement offer proposed by THETA COMM, INC. to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should accept the company's settlement proposal. Any contribution should be received by the Commission within ten business days from the date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to 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 company's certificate should be canceled administratively.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Susan Clark*  
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE  
02070 FEB 16 8  
FPSC-RECORDS/REPORTING

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Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon receipt of the \$100 contribution or cancellation of the certificate.

**APPROVED**