

VOTE SHEET

FEBRUARY 15, 2000

RE: DOCKET NO. 000021-TI - Investigation and determination of appropriate method for refunding interest and overcharges on intrastate 0+ calls made from pay telephones and in a call aggregator context by FoxTel, Inc.

Issue 1: Should the Commission order FoxTel, Inc. to refund \$3,292.70, plus interest of \$187.89, for a total of \$3,480.59 for overcharging end users on intrastate 0+ calls made from pay telephones and in a call aggregator context from February 1, 1999, through August 24, 1999?

Recommendation: Yes. The Commission should order FoxTel to refund \$3,292.70, plus interest of \$187.89, for a total of \$3,480.59 for overcharging end users on intrastate 0+ calls made from pay telephones and in a call aggregator context from February 1, 1999, through August 24, 1999. The refunds should be made through credits to customers' local exchange telephone bills between April 2000 and May 2000. At the end of the refund period, any unrefunded amount, including interest, should be remitted to the Commission by June 10, 2000, and forwarded to the

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Susan Clark
Joe Thomas
J. Tom Deason
[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02072 FEB 16 8

FPSC-RECORDS/REPORTING

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Comptroller for deposit in the General Revenue Fund, pursuant to Section 364.285(1), Florida Statutes. FoxTel should submit a final report as required by Rule 25-4.114, Florida Administrative Code, Refunds, by June 10, 2000.

APPROVED

Issue 2: Should FoxTel, Inc. be required to show cause why it should not pay a fine for overbilling of calls in excess of the rate cap established in Rule 25-24.630, F.A.C., Rate and Billing Requirements?

Recommendation: No.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: No. If no person whose interests are substantially affected by the proposed action files a protest of the Commission's decision on Issue 1 within the 21-day protest period, this docket should remain open pending completion of the refund and receipt of the final report on the refund. After completion of the refund and receipt of the final refund report, this docket may be closed administratively.

APPROVED