

VOTE SHEET

FEBRUARY 29, 2000

RE: Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificates for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.480(2)(a) and (b), F.A.C., Records & Reports; Rules Incorporated.

- DOCKET NO. 991776-TI - ITF, Inc.
- DOCKET NO. 991777-TI - Empire Telecom, Inc.
- DOCKET NO. 991778-TI - American Telephone Company, Inc.
- DOCKET NO. 991845-TI - T2U Co.
- DOCKET NO. ~~991852~~-TI - American Phone Corporation

Issue 1: Should the Commission impose a \$500 fine or cancel the interexchange telecommunications' certificates issued to the companies listed on page 6 of staff's February 17, 2000 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 as 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 the 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

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten Signature]*  
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*Susan Clark*  
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02750 MAR-18

FPSC-RECORDS/REPORTING

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

**APPROVED**

Issue 2: Should the Commission impose a \$500 fine or cancel the interexchange telecommunications' certificates issued to the companies listed on page 6 for apparent violation of Rule 25-24.480(2)(a) and (b), Florida Administrative Code, Records & Reports; Rules Incorporated?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's respective certificate as listed on page 6 if the information required by Rule 25-24.480(2)(a) and (b), F.A.C., Records & Reports; Rules Incorporated, and fine are not received by the Commission within five business days after the 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 interexchange telecommunications certificates listed on page 6 should be canceled administratively.

**APPROVED**

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FEBRUARY 29, 2000

Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificates for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.480(2)(a) and (b), F.A.C., Records & Reports; Rules Incorporated.

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Issue 3: Should these dockets be closed?

Recommendation: Yes, if the Commission approves or modifies staff's recommendation on Issues 1 and 2, these dockets should be closed upon receipt of the required information and fine and fees or cancellation of the certificates, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order. If the Commission denies staff's recommendation on Issues 1 and 2, these dockets should be closed administratively. A protest in one docket should not prevent the action in a separate docket from becoming final.

**APPROVED**