

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

APRIL 18, 2000

RE: DOCKET NO. 991269-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 Network Operator Services, Inc.

Issue 1: Should the Commission accept Network Operator Services, Inc.'s offer of refund and refund calculation of \$3,771.30, plus interest of \$233.34, for a total of \$4,004.64, for overcharging customers from pay telephones between February 1 and May 31, 1999?

Recommendation: Yes. The Commission should accept NOS's refund calculation of \$3,771.30, adding interest of \$233.34, for a total of \$4,004.64, and proposal to credit customer bills in May 2000, for overcharging customers for 0+ intrastate calls made from pay telephones between February 1 and May 31, 1999. The refunds should be made through credits to customers' bills in May 2000. At the end of the refund period, any amount not refunded, including interest, should be remitted to the Commission and forwarded to the Comptroller for deposit in the General Revenue Fund, pursuant to Chapter 364.285(1), Florida Statutes. In addition, NOS should be required to file a report, consistent with Rule 25-4.114, Florida Administrative Code, Refunds, with the Commission once all monies have been refunded.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

04892 APR 20 8

FPSC-RECORDS/REPORTING

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Issue 2: Should Network Operator Services, 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 within the 21-day protest period, a consummating order should be issued, but this docket should remain open pending the 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