

VOTE SHEET

MAY 16, 2000

RE: DOCKET NO. 000349-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 ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom.

Issue 1: Should the Commission accept ITC^Deltacom's offer of refund and refund calculation of \$405.05, plus interest of \$24.32, for a total of \$429.37, for overcharging customers for 0+ intrastate toll calls placed from pay telephones and in call aggregator contexts between February 1, 1999, and January 18, 2000?

Recommendation: Yes. The Commission should accept ITC^Deltacom's calculation of \$405.05, adding interest of \$24.32, for a total of \$429.37, and proposal to credit customer bills beginning July 1, 2000, and ending July 31, 2000, for overcharging customers for 0+ intrastate toll calls placed from pay telephones and in call aggregator contexts between February 1, 1999, and January 18, 2000. The refunds should be made through credits to customers' bills beginning July 1, 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

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

06113 MAY 178

FPSC-RECORDS/REPORTING

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Revenue Fund, pursuant to Chapter 364.285(1), Florida Statutes. ITC^Deltacom should submit a final report as required by Rule 25-4.114, Florida Administrative Code, Refunds, by October 2, 2000.

APPROVED

Issue 2: Should ITC^Deltacom 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, Florida Administrative Code, Rate and Billing Requirements?

Recommendation: No. Staff does not believe that ITC^Deltacom's conduct rises to the level that warrants an Order to Show Cause.

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, the Commission's Order will become final upon issuance of a Consummating Order. This docket should, however, 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