

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 6, 2000

RE: DOCKET NO. 991980-TX - Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications Certificate No. 5275 issued to USA Tele Corp. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Issue 1: Should USA Tele Corp. be ordered to show cause why a fine of \$500 for apparent violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, should not be imposed?

Recommendation: Yes. The Commission should order USA Tele Corp. to show cause in writing within 21 days of the issuance of the Commission's Order why it should not be fined \$500 for apparent violation of Rule 25-4.0161, F.A.C. The company's response should contain specific allegations of fact or law. If USA Tele Corp. fails to respond to the show cause order, the fine should be deemed assessed. If the fine is not paid within ten business days after the Order becomes final, it should be forwarded to the Office of the Comptroller for collection. If the fine is paid, it should be remitted by the Commission to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures: Max J. Jube, Susan J. Clark, J. Tom, and another signature]

REMARKS/DISSENTING COMMENTS: Chairman Garcia participated in the conference via video teleconference. He agreed with ~~disseminated from~~ the majority vote and will sign the vote sheet upon return to Tallahassee.

DOCUMENT NUMBER-DATE

07157 JUN 12 8

FPSC-RECORDS/REPORTING

VOTE SHEET

JUNE 6, 2000

DOCKET NO. 991980-TX - Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications Certificate No. 5275 issued to USA Tele Corp. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

(Continued from previous page)

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, the company will have 21 days to respond in writing to the Commission's show cause order explaining why it should not be fined in the amount proposed. If the company timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If the company fails to respond to the show cause order, and the fine and fees, including statutory penalties and interest, are not received within ten business days after the expiration of the show cause response period, then the fine should be imposed for the violation cited in Issue 1 and forwarded to the Comptroller's Office for collection. This docket can then be closed.

APPROVED