

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JULY 11, 2000

RE: DOCKET NO. 991471-TC - Initiation of show cause proceedings against J and L Communications for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries, and 25-24.515(9)(a), (12), and (18), F.A.C., Pay Telephone Service.

DOCKET NO. 000004-TC - Request for cancellation of Pay Telephone Certificate No. 3353 held by J and L Communications, and application for certificate to provide pay telephone service by Alacrity Communications, Inc.

Issue 1: Should the Commission accept the settlement proposed by J and L Communications to resolve Show Cause Order No. PSC-99-2343-SC-TC?

Recommendation: Yes. The Commission should accept the company's settlement proposal to pay \$2,800.00 in six installments. The first installment of \$466.67 should be received by the Commission within ten business days from the date of the Commission Order. The next four installments of \$466.67 each and the last installment of \$466.65 should be received by the Commission by the last working day of each month following receipt of the first installment. Any contribution should identify the docket number and company name. The Commission should forward the

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures under the MAJORITY column, including names like J. Terry Dean, Susan J. Clark, and Matt Jere.

Blank lines under the DISSENTING column.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

08402 JUL 12 8

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contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the company fails to pay in accordance with the terms of the Commission Order, or if staff's recommendation on Issue 2 is approved the company's certificate should be canceled administratively.

**APPROVED**

Issue 2: Should the Commission cancel Pay Telephone Certificate No. 3353 in the name of J and L Communications and approve the application for a new certificate in the name of Alacrity Communications, Inc.?

Recommendation: Yes. J and L Communications' Certificate No. 3353 should be canceled and the application for Pay Telephone Certificate No. 7518 in the name of Alacrity Communications, Inc. should be granted. Certificate No. 3353 will be canceled on the effective date of Certificate No. 7518 to avoid interruption of service. Certificate No. 7518, in the name of Alacrity Communications, Inc., will become effective when an order consummating the cancellation of the old certificate and the granting of the new certificate is issued. In addition, both J and L Communications and Alacrity Communications, Inc. will be mailed a Regulatory Assessment Fee return for the year 2000. Neither the cancellation of J and L Communications' certificate nor the failure to receive the Regulatory Assessment Fee notice for the year 2000 shall relieve either company from its obligation to pay the fees for the year 2000. In addition, if the settlement proposed in Issue 1 is not paid as outlined, then the certificate effective at the time of the default should be canceled administratively.

**APPROVED**

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Issue 3: Should Dockets Nos. 991471-TC and 000004-TC be closed?

Recommendation: Yes. If the Commission approves staff's recommendation on Issue 1, Docket No. 991471-TC should be closed upon receipt of the final installment of the \$2,800 contribution or cancellation of the certificate. If the Commission approves staff's recommendation on Issue 2, the proposed agency action will become final upon issuance of a consummating order, and Docket No. 000004-TC should be closed, 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 on Issue 2. If the Commission denies staff's recommendation on Issue 1, Docket No. 991471-TC should remain open to resolve the show cause issues. If the Commission denies staff's recommendation on Issue 2, Docket No. 000004-TC should be closed upon issuance of a consummating order.

**APPROVED**