

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 26, 2000

RE: DOCKET NO. 001066-TI - Initiation of show cause proceedings against America's Tele-Network Corp. for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, and Toll Provider Selection.

Issue 1: Should the Commission order America's Tele-Network Corp. to show cause why it should not be fined \$2,160,000 or have certificate number 4377 canceled for apparent violation of Rule 25-4.118, Florida Administrative Code, Local, Local Toll, or Toll Provider Selection?

Recommendation: Yes. The Commission should order America's Tele-Network Corp. to show cause in writing within 21 days of the issuance of the Commission's Order why it should not be fined \$2,160,000 or have certificate number 4377 canceled for apparent violation of Rule 25-4.118, Florida Administrative Code, Local, Local Toll, or Toll Provider Selection. The company's response should contain specific allegations of fact and law. If America's Tele-Network Corp. fails to respond to the show cause order or request a hearing pursuant to Section 120.57, Florida Statutes, within the 21-day response period and the fine is not paid within ten business days after the 21-day response period, the facts should be deemed admitted, the

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

*To the November 7, 2000
Commission Conference.*

DEFERRED

DOCUMENT NUMBER-DATE

12301 SEP 28 8

FPSC-REC'D/REPORTING

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(Continued from previous page)

right to a hearing should be deemed waived and certificate number 4377 should be canceled. 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.

Issue 2: Should this docket be closed?

Recommendation: No. If staff's recommendation in Issue 1 is approved, this docket should remain open pending the outcome of the show cause proceedings. If America's Tele-Network Corp. timely responds to the Order to Show Cause, this docket should remain open pending resolution of the show cause proceedings.

If America's Tele-Network Corp. fails to respond to the Order to Show Cause within the 21-day show cause response period and the fine is not received within ten business days after the expiration of the show cause response period, certificate number 4377 should be canceled and this docket may be closed administratively. If America's Tele-Network Corp. pays the fine recommended in Issue 1, this docket should be closed.