

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 7, 2000

RE: DOCKET NO. 001353-TI - Initiation of show cause proceedings against Labree Management, Inc. for apparent violation of Rule 25-24.565(1), F.A.C., Certificate of Public Convenience and Necessity Required, and Rule 25-24.640(1)(f), F.A.C., Service Requirements for Call Aggregators.

Issue 1: Should the Commission order Labree Management, Inc. to show cause why it should not be fined \$3,000 for apparent violations of Rule 25-24.640(1)(f), Florida Administrative Code, Service Requirements for Call Aggregators?

Recommendation: Yes. The Commission should order Labree Management, Inc. to show cause in writing within 21 days of the issuance of the Commission's Order why it should not be fined \$3,000 for apparent violations of Rule 25-24.640 (1) (f), Florida Administrative Code, Service Requirements for Call Aggregators. The company's response should contain specific allegations of fact and law. If Labree Management, Inc. 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

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REMARKS/DISSENTING COMMENTS:

*Staff to advise*

**DEFERRED**

VOTE SHEET

NOVEMBER 7, 2000

DOCKET NO. 001353-TI - Initiation of show cause proceedings against Labree Management, Inc. for apparent violation of Rule 25-24.565(1), F.A.C., Certificate of Public Convenience and Necessity Required, and Rule 25-24.640(1)(f), F.A.C., Service Requirements for Call Aggregators.

(Continued from previous page)

ten business days after the 21-day response period, the facts should be deemed admitted, the right to a hearing should be deemed waived and the fine should be deemed assessed. If the fine is paid, the Commission should remit it 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 the Commission approves staff's recommendation, 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 fines 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 violations cited and forwarded to the Comptroller's Office for collection. This docket can then be closed.