

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DECEMBER 5, 2000

RE: DOCKET NO. 001231-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 3546 issued to Network Access Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.480(2)(a) and (b), F.A.C., Records & Reports; Rules Incorporated.

Issue 1: Should the Commission impose a \$1,000 fine or cancel Network Access Inc.'s certificate for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$1,000 fine or cancel the company's certificate if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, Certificate No. 3546 should be canceled administratively and the

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]

REMARKS/DISSENTING COMMENTS:

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collection of the past due fees should be referred to the Office of the Comptroller for further collection efforts.

APPROVED

Issue 2: Should the Commission impose a \$500 fine or cancel Network Access Inc.'s certificate for apparent violation of Rule 25-24.480(2)(a) and (b), Florida Administrative Code, Records & Reports; Rules Incorporated?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel the company's certificate if the information required by Rule 25-24.480(2)(a) and (b), Florida Administrative Code, Records & Reports; Rules Incorporated, and fine are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and required information are not received, Certificate No. 3546 should be canceled administratively.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: Yes. The Order issued from this recommendation will become final upon issuance of a consummating order, 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. The docket should then be closed upon receipt of the fines, fees, and required information or cancellation of the certificate.

APPROVED