

VOTE SHEET

FEBRUARY 20, 2001

RE: DOCKET NO. 001418-TX - Initiation of show cause proceedings against First Touch, Inc. for apparent violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

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

Recommendation: Yes. The Commission should order First Touch, Inc. 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 First Touch, Inc. fails to respond to the show cause order, the fine should be deemed assessed. If the fine and fees are not paid within ten business days after the Order becomes final, they should be forwarded to the Office of the Comptroller for collection. If the fine and fees are paid, the fine 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

Michael A. Palesti
John J. ...
[Signature]
[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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Issue 2: Should this docket be closed?

Recommendation: No. 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 penalty and interest charges, 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 the fine and fees forwarded to the Comptroller's Office for collection. This docket can then be closed.

APPROVED