

VOTE SHEET

FEBRUARY 20, 2001

RE: DOCKET NO. 010123-TX - Initiation of show cause proceedings against Alternative Telecommunication Services, Inc. d/b/a Second Chance Phone for apparent violation of Section 364.183(1), F.S., Access to Company Records.

Issue 1: Should the Commission order Alternative Telecommunication Services, Inc. d/b/a Second Chance Phone to show cause why it should not be fined \$25,000 or Certificate Number 5620 should not be canceled for apparent failure to provide the Commission access to information in accordance with Section 364.183(1), Florida Statutes, Access to Company Records?

Recommendation: Yes. The Commission should order Alternative Telecommunication Services, Inc. d/b/a Second Chance Phone to show cause in writing within 21 days of the issuance of the Commission's Order why it should not be fined \$25,000 or have Certificate Number 5620 canceled for apparent failure to provide the Commission access to information in accordance with Section 364.183(1), Florida Statutes, Access to Company Records. The company's response should contain specific allegations of fact and law. If Alternative Telecommunication Services, Inc. d/b/a Second Chance Phone fails to respond to the show cause order or request a hearing

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

Withdrawn

DOCUMENT NUMBER-DATE

02390 FEB 21 01

FPSC-RECORDS/REPORTING

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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 and the right to a hearing should be deemed waived and Certificate Number 5620 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 and Alternative Telecommunication Services, Inc. d/b/a Second Chance Phone timely responds to the Order to Show Cause, this docket should remain open pending the outcome of the show cause proceedings.

Staff recommends that if Alternative Telecommunication Services, Inc. d/b/a Second Chance Phone 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 5620 should be canceled and this docket may be closed administratively. If Alternative Telecommunication Services, Inc. d/b/a Second Chance Phone pays the fine recommended in Issue 1, this docket should be closed administratively.