

VOTE SHEET

FEBRUARY 20, 2001

RE: DOCKET NO. 991486-WU - Investigation into retention of certificated area of Ellis & Company, Ltd. (Holiday Mall) by Floralino Properties, Inc.

Issue 1: Should the Commission initiate proceedings to investigate whether certain territory authorized in Floralino Properties, Inc.'s Certificate No. 153-W should be deleted?

Recommendation: Yes. Staff recommends that the Commission initiate a proceeding to investigate whether certain territory authorized in Floralino Properties, Inc.'s Certificate No. 153-W, encompassing Holiday Mall, should be deleted. Further, staff recommends that the Commission issue legal notice of the investigation to determine if certain territory should be deleted pursuant to Section 367.045(6), Florida Statutes.

**MODIFIED**

The portion of staff's recommendation concerning initiation of an investigation is denied. Issuance of legal

notice will proceed; the notice will indicate proceedings to delete a portion of the certificate have been initiated.

RAR note: Vote sheet corrected 3/23/01 after review of audiotape.

kg

→ Staff will instead initiate a proceeding to delete the portion of Floralino's certificate which encompasses Holiday Mall.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Michael A. Palumbo*  
*Julia J. Jare*  
*[Signature]*  
*[Signature]*

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

REMARKS/DISSENTING COMMENTS:

Replacement  
DOCUMENT NUMBER-DATE

02398 FEB 21 01

VOTE SHEET

FEBRUARY 20, 2001

DOCKET NO. 991486-WU - Investigation into retention of certificated area of Ellis & Company, Ltd. (Holiday Mall) by Floralino Properties, Inc.

(Continued from previous page)

Issue 2: Should the Commission grant Floralino's Motion to Strike and Dismiss Application?

Recommendation: No. Staff recommends that Floralino's Motion to Strike and Dismiss Application should be denied. The application for deletion of territory by Holiday Mall should be treated as a Complaint.

**APPROVED**

Issue 3: Should this docket be closed?

Recommendation: No. If the Commission approves Staff's recommendation in Issue 1, this docket should remain open pending the conclusion of the investigation.

**APPROVED**

*consistent with decision  
in Issue 1*