

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MARCH 6, 2001

RE: DOCKET NO. 001458-TX - Cancellation by Florida Public Service Commission of ALEC Certificate No. 6048 issued to Everett L Heard d/b/a ABC Connect for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Issue 1: Should the Commission impose a \$500 fine or cancel Everett L. Heard d/b/a ABC Connect'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 \$500 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, the company's Certificate No. 6048 should be cancelled administratively and the collection of the past due fees should be referred to the Office of the Comptroller for further collection efforts.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column, including names like Michael A. Beach, and several illegible signatures.

Empty lines in the dissenting column for signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

03023 MAR-85

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Issue 2: 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 fine and fees or cancellation of the certificate.

APPROVED