

VOTE SHEET

APRIL 3, 2001

RE: DOCKET NO. 010125-TX - Initiation of show cause proceedings against Atlantic.Net Broadband, Inc. for apparent violation of Section 364.183(1), F.S., Access to Company Records.

ISSUE 1: Should the Commission accept the settlement offer proposed by Atlantic.Net Broadband, Inc. to resolve the apparent violation of Section 364.183(1), Florida Statutes, Access to Company Records?

RECOMMENDATION: Yes. The Commission should accept the company's settlement proposal. Any contribution should be received by the Commission within ten business days from the issuance date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes. If the company fails to pay in accordance with the terms of the Commission Order, certificate number 6070 should be canceled administratively. The company has waived any objections to the administrative cancellation of certificate number 6070 in the event its offer is approved by the Commission and it fails to comply with the terms of its settlement offer.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Michael A. Palumbo

[Signature]

[Signature]

[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

04152 APR-45

FPSC-RECORDS/REPORTING

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. With the approval of Issue 1, this docket should remain open pending the remittance of the \$7,000 voluntary contribution. Upon remittance of the settlement payment, this docket should be closed. If the company fails to pay in accordance with the terms of the Commission Order, certificate number 6070 should be canceled administratively, and this docket should be closed.

APPROVED