

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 12, 2001

RE: Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

DOCKET NO. 010432-TC - Lupton Industries
DOCKET NO. 010445-TC - Creative Engineering Concepts, Inc.

ISSUE 1: Should the Commission impose a \$500 fine or cancel each company's respective certificate as listed on page 6 of staff's May 31, 2001 memorandum 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 each company's respective certificate as listed on page 6 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

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Michael A. Palumbo
Scott J. ...
[Signature]
[Signature]

REMARKS/DISSENTING/COMMENTS:

DOCUMENT NUMBER-DATE

07283 JUN 12 01

FPSC-RECORDS/REPORTING

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penalty and interest charges, are not received, the certificate numbers listed on page 6 should be canceled administratively and the collection of the past due fees should be referred to the Office of the Comptroller for further collection efforts.

APPROVED

ISSUE 2: Should the Commission impose a \$500 fine or cancel each telecommunications company's respective certificate as listed on page 6 of staff's May 31, 2001 memorandum for apparent violation of Rule 25-24.520, Florida Administrative Code, Reporting Requirements?

RECOMMENDATION: Yes. The Commission should impose a \$500 fine or cancel each company's respective certificate as listed on page 6 if the information required by Rule 25-24.520, Florida Administrative Code, Reporting Requirements, and fine 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 required information are not received, the certificate numbers listed on page 6 should be canceled administratively.

APPROVED

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ISSUE 3: Should these dockets be closed?

RECOMMENDATION: Yes. The Order issued from these recommendations 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 dockets should then be closed upon receipt of the fines, fees, and required information or cancellation of the certificate. A protest in one docket should not prevent the action in a separate docket from becoming final.

APPROVED