

VOTE SHEET

OCTOBER 16, 2001

RE: Cancellation by Florida Public Service Commission of interexchange telecommunications certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Docket No. 010719-TI - LDC Consultants
Docket No. 011003-TI - Mercury Marketing Company, Ltd.
Docket No. 011007-TI - Utility.com, Inc.

ISSUE 1: Should the Commission grant the companies listed on Attachment A of staff's October 4, 2001 memorandum a voluntary cancellation of their respective certificates?

RECOMMENDATION: No. The Commission should cancel each company's respective certificate on its own motion with an effective date as listed on Attachment A. 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

Joseph A. Palumbo
[Signature]
[Signature]
[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

13157 OCT 17 2001

FPSC-COMMISSION CLERK

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ISSUE 2: Should these dockets 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. These dockets should then be closed upon cancellation of the certificate. A protest in one docket should not prevent the action in a separate docket from becoming final.

MODIFIED

*Approved with modification
made by staff at conference.*