

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DECEMBER 4, 2001

RE: Docket No. 011304-TX - Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications Certificate No. 7506 issued to eVulkan, Inc. d/b/a beMANY! for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

ISSUE 1: Should the Commission grant eVulkan, Inc. d/b/a beMANY! a voluntary cancellation of Certificate No. 7506?

RECOMMENDATION: No. The Commission should cancel eVulkan, Inc. d/b/a beMANY!'s certificate on its own motion with an effective date of October 29, 2001. In addition, the Division of the Commission Clerk and Administrative Services will be notified that the 2000 and 2001 RAFs, including statutory penalty and interest charges for the year 2000, should not be sent to the Comptroller's Office for collection, but that permission for the Commission to write off the uncollectible amount should be requested.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in majority column]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: 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. This docket should then be closed upon cancellation of the certificate.

**APPROVED**