

VOTE SHEET

FEBRUARY 19, 2002

RE: Docket No. 011100-TS - Cancellation by Florida Public Service Commission of Shared Tenant Services Telecommunications Certificate No. 3479 issued to Apex Professional Services, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies. (Deferred from November 19, 2001 conference; revised recommendation filed.)

ISSUE 1: Should the Commission impose a \$500 fine or cancel Apex Professional Services, Inc.'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 seven (7) 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

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

Michael A. Palech

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

01925 FEB 19 02

FPSC-COMMISSION CLERK

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assessment fees, including statutory penalty and interest charges, are not received, the company's Certificate No. 3479 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

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. The docket should then be closed upon receipt of the fine and fees or cancellation of the certificate.

APPROVED