

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MARCH 19, 2002

RE: Docket No. 010488-TI - Investigation and determination of method to credit flow-through reductions by eMeritus Communications, Inc. as required by Section 364.163, F.S.

ISSUE 1: Should the Commission accept eMeritus Communications, Inc.'s offer of refund and refund calculation of \$13,584.00, plus interest of \$2,250.63, for a total of \$15,834.63, for apparent failure to properly flow-through the 1998 switched access reductions pursuant to Section 364.163(6), Florida Statutes?

RECOMMENDATION: Yes. Staff recommends that the Commission accept the offer of refund and refund calculation of \$13,584.00, plus interest of \$2,250.63, for a total of \$15,834.63, proposed by eMeritus. The one-time refund proposed by eMeritus should be paid during June 2002 to the customers identified by the company. At the end of the refund period, any amount not refundable, including interest, should be remitted to the Commission by July 31, 2002, and forwarded to the Comptroller for deposit in the General Revenue Fund. eMeritus should submit a final report as required by Rule 25-4.114, Florida Administrative Code, Refunds, by July 31, 2002.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Ludy Bragg
Michael A. Paluch
J. Terry Weaver

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

03156 MAR 19 2002

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: If no person whose substantial interests are affected by the proposed action recommended herein files a protest of the Commission's decision on Issue 1 within the 21-day protest period, the Commission's Order will become final and effective upon issuance of a Consummating Order. The docket should be closed administratively once the refund in Issue 1 is complete and the final report is received and reviewed by staff.

APPROVED