

VOTE SHEET

JUNE 18, 2002

RE: Docket No. 011140-TI - Initiation of show cause proceedings against Orion Telecommunications Corp d/b/a Orion Telecommunications Corp of New York for apparent violation of Rule 25-24.910, F.A.C., Certificate of Public Convenience and Necessity Required.

Docket No. 011661-TI - Application for certificate to provide interexchange telecommunications service by Orion Telecommunications Corp d/b/a Orion Telecommunications Corp of New York.

ISSUE 1: Should the Commission accept Orion Telecommunications Corp d/b/a Orion Telecommunications Corp of New York's settlement proposal dated December 13, 2001, including a voluntary payment of \$20,000, to resolve the show cause proceeding in Docket No. 011440-TI for the apparent violation of Rule 25-24.910, Florida Administrative Code, Certificate of Public Convenience and Necessity Required?

RECOMMENDATION: Yes. The Commission should accept Orion Telecommunications Corp d/b/a Orion Telecommunications Corp of New York's settlement proposal dated December 13, 2001, including a voluntary payment of \$20,000, which was submitted with its settlement proposal, to resolve the show cause proceeding in Docket No. 011440-TI for the apparent violation of Rule 25-24.910, Florida Administrative Code, Certificate of Public Convenience and

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners on a set of four horizontal lines.

Four horizontal lines for dissenting signatures, currently blank.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

06300 JUN 18 02

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Necessity Required. The Commission should forward the voluntary payment to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

APPROVED

ISSUE 2: Should the Commission grant Orion Telecommunications Corp d/b/a Orion Telecommunications Corp of New York a certificate to provide interexchange telecommunications service within the State of Florida in Docket No. 011661-TI?

RECOMMENDATION: Yes. The Commission should grant Orion Telecommunications Corp d/b/a Orion Telecommunications Corp of New York, Florida Public Service Commission Certificate No. 8042, to provide IXC service within the State of Florida in Docket No. 011661-TI.

APPROVED

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Docket No. 011661-TI - Application for certificate to provide interexchange telecommunications service by Orion Telecommunications Corp d/b/a Orion Telecommunications Corp of New York.

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ISSUE 3: Should Docket Nos. 011661-TI and 011140-TI be closed?

RECOMMENDATION: Docket No. 011661-TI should be closed 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.

Docket No. 011140-TI should be closed 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. If the Commission denies staff's recommendation in Issue 1, Docket No. 011140-TI should remain open pending resolution of the show cause proceeding.

A protest in one docket should not prevent the action in a separate docket from becoming final.

APPROVED