

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 3, 2002

RE: Docket No. 020569-TX - Cancellation by Florida Public Service Commission of ALEC Certificate No. 5480 issued to Axsys, Inc. d/b/a Axsys, Inc./Tel Ptns. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

ISSUE 1: Should the Commission impose a \$1,000 penalty or cancel Axsys, Inc. d/b/a Axsys, Inc./Tel Ptns.' certificate for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

RECOMMENDATION: Yes. The Commission should impose a \$1,000 penalty or cancel the company's certificate if the penalty and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within fourteen (14) calendar days after the issuance of the Consummating Order. The penalty 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 penalty and regulatory assessment fees, including statutory penalty and interest charges, are not received, the company's Certificate No. 5480 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. If Axsys, Inc. d/b/a Axsys,

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Rudy Bradley
Michael A. Pallasi
John J. ...
J. Tom ...
Michael A. Pallasi

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

09261 SEP-38

FPSC-COMMISSION CLERK

VOTE SHEET

SEPTEMBER 3, 2002

Docket No. 020569-TX - Cancellation by Florida Public Service Commission of ALEC Certificate No. 5480 issued to Axsys, Inc. d/b/a Axsys, Inc./Tel Ptns. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

(Continued from previous page)

Inc./Tel Ptns.' certificate is cancelled in accordance with the Commission's Order from this recommendation, Axsys, Inc. d/b/a Axsys, Inc./Tel Ptns. should be required to immediately cease and desist providing alternative local exchange services in Florida.

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 penalty and fees or cancellation of the certificate.

APPROVED