

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 1, 2002

RE: Docket No. 020667-TI - Compliance investigation of AmericanFone, LLC for apparent violation of Rule 25-24.470, F.A.C., Certificate of Public Convenience and Necessity Required, and Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

ISSUE 1: Should the Commission accept the settlement offer proposed by AmericanFone, LLC to resolve the apparent violation of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required, and Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries?

RECOMMENDATION: Yes. The Commission should accept the settlement offer proposed by AmericanFone, LLC to contribute \$2,500 for each apparent rule violation, for a total of \$5,000, to the State General Revenue Fund to resolve the apparent violation of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required, and Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries. If the Commission's Order is not protested, the contribution should be received by the Commission within fourteen calendar days from the issuance date of the Consummating Order and should identify the docket number and company name. The contribution should be forwarded to the Office of the Comptroller for deposit in the General Revenue Fund. If the

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners: Audrey Bradley, [unclear], [unclear], J. Terry Dean, Michael A. Palumbo

Blank lines for dissenting signatures

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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contribution is not received within fourteen calendar days after the issuance of the Consummating Order, Certificate No. 7422 should be cancelled. If Certificate No. 7422 is cancelled, the company should be required to immediately cease and desist providing interexchange telecommunications service 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. This docket should then be closed administratively upon either receipt of the company's monetary contribution or upon cancellation of Certificate No. 7422.

APPROVED