

VOTE SHEET

OCTOBER 1, 2002

RE: Docket No. 020604-TX - Bankruptcy cancellation by Florida Public Service Commission of ALEC Certificate No. 7681 issued to Sphera Optical Networks N.A., Inc. d/b/a Sphera Networks effective 8/6/02.

ISSUE 1: Should the Commission grant Sphera Optical Networks N.A., Inc. d/b/a Sphera Networks' request for cancellation of its ALEC Certificate No. 7681 due to bankruptcy?

RECOMMENDATION: Yes. The Commission should grant the company a bankruptcy cancellation of its ALEC Certificate No. 7681 with an effective date of August 6, 2002. In addition, the Division of the Commission Clerk & Administrative Services will be notified that the 2001 and 2002 RAFs, including statutory penalty and interest charges for the year 2001, should not be sent to the Comptroller's Office for collection, but that permission for the Commission to write off the uncollectible amount should be requested. If the certificate is cancelled in accordance with the Commission's Order from this recommendation, the company should be required to immediately cease and desist providing alternative local exchange telecommunications service in Florida.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Shirley Bradley
President
John P. ...
...
...
Michael A. Palesti

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

10576 OCT-18

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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.

APPROVED