

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 15, 2002

RE: Cancellation by Florida Public Service Commission of IXC certificates for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.480, F.A.C., Records & Reports; Rules Incorporated.

- Docket No. 020677-TI - TeleHub Network Services Corporation
- Docket No. 020694-TI - PARCOM Communications, Inc.
- Docket No. 020719-TI - Global Telelink Services, Inc.
- Docket No. 020720-TI - IPVoice Communications, Inc.
- Docket No. 020721-TI - GRG, Inc. of Nevada
- Docket No. 020722-TI - PatriotCom Inc.
- Docket No. 020731-TI - Sigma Networks Telecommunications, Inc.
- Docket No. 020732-TI - Ecocom USA Limited Corporation
- Docket No. 020733-TI - Telicor Inc.
- Docket No. 020747-TI - NxGen Networks, Inc.
- Docket No. 020748-TI - Debit One Communications, Inc.
- Docket No. 020749-TI - Zephion Networks Communications, Inc.
- Docket No. 020753-TI - Y & B Services Corporation d/b/a Plastigol Miami and d/b/a Orbitel USA
- Docket No. 020657-TI - World Pass Communication Corp.
- Docket No. 020678-TI - Mony Travel Services of Florida, Inc.
- Docket No. 020692-TI - Legends Communications, Inc.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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ISSUE 1: Should the Commission impose a total penalty of \$1,000 (\$500 for each rule violation) or cancel each company's respective certificate as listed on Attachment A of staff's October 3, 2002 memorandum for apparent violation of Rules 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.480, Florida Administrative Code, and 25-24.480, Florida Administrative Code, Records & Reports; Rules Incorporated?

RECOMMENDATION: Yes. The Commission should impose a total penalty of \$1,000 (\$500 for the RAF's violation and \$500 for the Reporting Requirements violation) or cancel each company's respective certificate as listed on Attachment A for apparent violation of Rule 25-4.0161, Florida Administrative Code, incorporated by Rule 25-24.480, Florida Administrative Code, if the penalty, Regulatory Assessment Fees, including statutory penalty and interest charges, and the information required by Rule 25-24.480, Florida Administrative Code, Records & Reports; Rules Incorporated, are not received by the Commission within fourteen (14) calendar days after the issuance of the Consummating Order. The total penalty of \$1,000 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 a company does not protest the Commission's Order or the penalty and Regulatory Assessment Fees, including statutory penalty and interest charges, and required information are not received, that company's certificate, as listed on Attachment A, 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 a company's certificate, as listed on Attachment A, is cancelled in accordance with the Commission's Order from this recommendation, the respective company should be required to immediately cease and desist providing interexchange carrier telecommunications service in Florida.

APPROVED

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ISSUE 2: Should the Commission impose a \$1,500 total penalty or cancel each company's respective certificate as listed on Attachment B of staff's October 3, 2002 memorandum for apparent violation of Rules 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.480, Florida Administrative Code, and 25-24.480, Florida Administrative Code, Records & Reports; Rules Incorporated?

RECOMMENDATION: Yes. The Commission should impose a total penalty of \$1,500 (\$1,000 for RAFs violation and \$500 for reporting requirements violation) or cancel each company's respective certificate as listed on Attachment B for apparent violation of Rule 25-4.0161, Florida Administrative Code, incorporated by Rule 25-24.480, Florida Administrative Code, if the penalty, the Regulatory Assessment Fees, including statutory penalty and interest charges, and required information are not received by the Commission within fourteen (14) calendar days after the issuance of the Consummating Order. The total penalty of \$1,500 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 a company does not protest the Commission's Order or the penalty and Regulatory Assessment Fees, including statutory penalty and interest charges, and required information are not received, that company's certificate, as listed on Attachment B, 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 a company's certificate, as listed on Attachment B, is cancelled in accordance with the Commission's Order from this recommendation, the respective company should be required to immediately cease and desist providing interexchange carrier telecommunications service in Florida.

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ISSUE 3: Should the Commission cancel Legends Communications, Inc.'s Certificate No. 6094 as listed on Attachment C of staff's October 3, 2002 memorandum for apparent violation of Rules 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.480, Florida Administrative Code, and 25-24.480, Florida Administrative Code, Records & Reports; Rules Incorporated?

RECOMMENDATION: Yes. The Commission should cancel Legends Communications, Inc.'s Certificate No. 6094 as listed on Attachment C for apparent violation of Rules 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.480, Florida Administrative Code, and 25-24.480, Florida Administrative Code, Records & Reports; Rules Incorporated. If the past due fee, including statutory penalty and interest charges, and the information required by Rule 25-24.480, Florida Administrative Code, are not received within fourteen (14) calendar days after the issuance of the Consummating Order, the past due RAF amount shall be turned over to the Office of the Comptroller for further collection efforts. If the Commission's Order is not protested, the company's Certificate No. 6094 should be cancelled administratively. If Legends Communications, Inc.'s certificate is cancelled in accordance with the Commission's Order from this recommendation, Legends Communications, Inc. should be required to immediately cease and desist providing interexchange telecommunications service in Florida.

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ISSUE 4: Should these dockets be closed?

RECOMMENDATION: The Orders issued from these recommendations will become final upon issuance of Consummating Orders, 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 Orders. The dockets should then be closed upon receipt of the penalty and fees or cancellation of each company's respective certificate. A protest in one docket should not prevent the action in a separate docket from becoming final.

APPROVED