

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 5, 2002

RE: Cancellation by Florida Public Service Commission of PATS certificates for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies and 25-24.520, F.A.C., Reporting Requirements.

- Docket No. 020781-TC - Pay-Tel Services Inc.
- Docket No. 020789-TC - Burney Communications Group, Inc.
- Docket No. 020797-TC - Advance Payphones U.S.A., Inc.
- Docket No. 020811-TC - Michael R. Spence d/b/a Constellation Telecom
- Docket No. 020814-TC - Fel-Tel Communication, Inc.
- Docket No. 020815-TC - Sandra K. Strohl
- Docket No. 020817-TC - James Fairhurst
- Docket No. 020916-TC - Coastal Phone Services, Inc.

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 24, 2002 memorandum for apparent violation of Rules 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.505, Florida Administrative Code, and 25-24.520, Florida Administrative Code, Reporting Requirements?

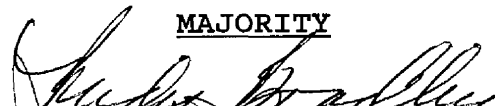
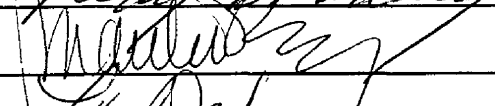
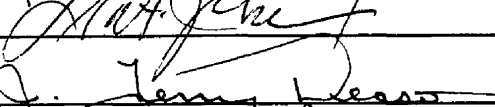

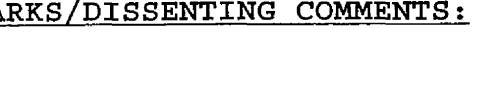
RECOMMENDATION: Yes. The Commission should impose a total penalty of \$1,000 (\$500 for the RAFs violation and \$500 for the Reporting Requirements violation) or cancel each company's respective certificate as listed on

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

12152 NOV-5 02

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(Continued from previous page)

Attachment A for apparent violation of Rule 25-4.0161, Florida Administrative Code, incorporated by Rule 25-24.505, Florida Administrative Code, if the penalty, Regulatory Assessment Fees, including statutory penalty and interest charges, and the information required by Rule 25-24.520, Florida Administrative Code, Reporting Requirements, 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 pay telephone service in Florida.

APPROVED

ISSUE 2: 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, fees, and updated information 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