

VOTE SHEET

NOVEMBER 5, 2002

RE: Docket No. 020588-TX - Cancellation by Florida Public Service Commission of ALEC Certificate No. 7478 issued to DV2, Inc. for violation of Rule 25-4.161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

ISSUE 1: Should the Commission accept the settlement offer proposed by DV2, Inc. to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.835, Florida Administrative Code, Rules Incorporated?

RECOMMENDATION: Yes. The Commission should accept the company's settlement proposal. Any contribution should be received by the Commission within fourteen (14) calendar days from the date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the company fails to pay in accordance with the terms of the Commission Order, Certificate No. 7478 should be canceled

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners: Rudy Bradley, [unclear], [unclear], J. Terry Deaso, Michael A. Pedersen

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

12153 NOV-58

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administratively. If DV2, Inc.'s certificate is cancelled in accordance with the Commission's Order from this recommendation, DV2, Inc. should be required to immediately cease and desist providing alternative local exchange services in Florida.

**APPROVED**

ISSUE 2: Should this docket be closed?

RECOMMENDATION: If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon receipt of the \$100 contribution or cancellation of the certificate.

**APPROVED**