

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DECEMBER 17, 2002

RE: Cancellation by Florida Public Service Commission of IXC certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

- Docket No. 020735-TI - Maxtel USA, Inc.
- Docket No. 020756-TI - Intelligent Switching and Software, LLC
- Docket No. 020955-TI - Blegbi, Inc.
- Docket No. 021160-TI - Calpoint (Florida), LLC
- Docket No. 021162-TI - TalkNow, Inc.
- Docket No. 020675-TI - Easy Phone, Inc. d/b/a Easy Tel, Inc.

ISSUE 1: Should the Commission impose a \$500 penalty or cancel each company's respective certificate as listed on Attachment A of staff's December 5, 2002 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.480, Florida Administrative Code, with an effective date of December 31, 2002?

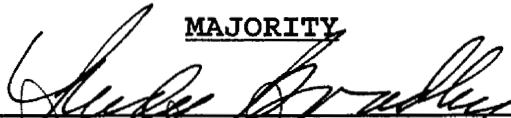
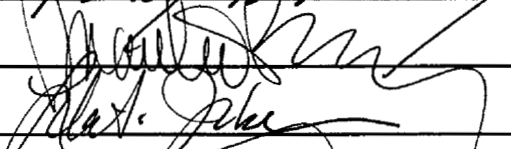


RECOMMENDATION: Yes. The Commission should impose a \$500 penalty or cancel each company's respective certificate as listed on Attachment A for apparent violation of Rule 25-4.0161, Florida Administrative Code, incorporated by Rule 25-24.480, Florida Administrative Code, with an effective date of December 31, 2002, if the penalty and the Regulatory

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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Assessment Fees, including statutory penalty and interest charges, are not received by the Commission within fourteen (14) calendar days after the issuance of the Consummating Order. The penalty 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 if the penalty and Regulatory Assessment Fees, including statutory penalty and interest charges, are not received in accordance with the Commission's Order, 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 telecommunications service in Florida.

APPROVED

ISSUE 2: Should the Commission impose a \$1,000 penalty or cancel Easy Phone, Inc. d/b/a Easy Tel, Inc.'s certificate as listed on Attachment B of staff's December 5, 2002 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.480, Florida Administrative Code, with an effective date of December 31, 2002?

RECOMMENDATION: Yes. The Commission should assess a \$1,000 penalty or cancel Easy Phone, Inc. d/b/a Easy Tel, Inc.'s 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, with an effective date of December 31, 2002, if the penalty and the Regulatory Assessment Fees, including statutory penalty and interest charges, are not received by the Commission within fourteen (14) calendar days after the issuance of the Consummating Order. The penalty 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 the company does not protest

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the Commission's Order, or if the penalty and Regulatory Assessment Fees, including statutory penalty and interest charges, are not received in accordance with the Commission's Order, Easy Phone, Inc. d/b/a Easy Tel, Inc.'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 Easy Phone, Inc. d/b/a Easy Tel, Inc.'s certificate as listed on Attachment B is cancelled in accordance with the Commission's Order from this recommendation, the company should be required to immediately cease and desist providing interexchange telecommunications service in Florida.

APPROVED

ISSUE 3: 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