

VOTE SHEET

DECEMBER 16, 2003

RE: Docket No. 030873-TX - Application for certificate to provide competitive local exchange telecommunications service by Utility USA, Inc. (Deferred from December 2, 2003 conference; revised recommendation filed.)

ISSUE 1: Should the Commission accept Utility USA, Inc.'s offer to settle and grant Utility USA, Inc. a certificate to provide competitive local exchange telecommunications service within the state of Florida as provided by Section 364.337, Florida Statutes?

RECOMMENDATION: No. The Commission should not accept Utility USA, Inc.'s offer to settle and should not grant Utility USA, Inc. Florida Public Service Commission Certificate No. 8419 to provide competitive local exchange telecommunications service within the state of Florida as provided by Section 364.337, Florida Statutes. The company should be required to immediately cease and desist providing competitive local exchange telecommunications service in Florida.

WITHDRAWN

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Five horizontal lines for majority signatures.

Five horizontal lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

13063 DEC 16 03

FPSC-COMMISSION CLERK

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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 issuance of the Proposed Agency Action Order. The docket should then be closed upon issuance of a Consummating Order.