

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JANUARY 6, 2004

RE: Docket No. 030619-TX - Cancellation by Florida Public Service Commission of CLEC Certificate No. 5742 issued to The Mobile Phone Company, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

ISSUE 1: Should the Commission cancel The Mobile Phone Company, Inc.'s CLEC Certificate No. 5742 for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.835, Florida Administrative Code?

RECOMMENDATION: The Commission should cancel The Mobile Phone Company, Inc.'s CLEC Certificate No. 5742 for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, incorporated by Rule 25-24.835, Florida Administrative Code, with an effective date of December 31, 2003. If the past due fee, including statutory late payment charges, is not received within fourteen (14) calendar days after the issuance of the Consummating Order, the amount shall be turned over to the Florida Department of Financial Services for further collection efforts. If the Commission's Order is not protested, the company's CLEC Certificate No. 5742 should be cancelled administratively. If The Mobile Phone Company, Inc.'s certificate is cancelled in accordance with the Commission's Order from this recommendation, The Mobile Phone Company, Inc. should be required to immediately cease and desist providing competitive local exchange service in Florida.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of Charles M. David, Peter J. He, [unclear], J. Tom, and Rudy Bradley over horizontal lines.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER=CATF

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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.

**APPROVED**