

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JANUARY 6, 2004

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

Docket No. 030622-TX - Sun-Tel USA, Inc.
Docket No. 030665-TX - BullsEye Telecom, Inc.

ISSUE 1: Should the Commission accept the settlement offer proposed by each company listed on Attachment A of staff's December 23, 2003 memorandum to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies, which implements Section 364.336, Florida Statutes?

RECOMMENDATION: The Commission should accept each company's respective 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 Florida Department of Financial Services for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If any of the companies listed on Attachment A of staff's memorandum fails to pay in accordance with the terms of the Commission Order, that company's respective certificate should be cancelled administratively. 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 competitive local exchange telecommunications service in Florida.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Chuck M. Danch
Mark G. ...
Martinez
J. Terry ...
Judy Brasley

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: If the Commission approves staff's recommendation on Issue 1, the docket for each company listed on Attachment A of staff's December 23, 2003 memorandum should be closed upon receipt of the \$100 contribution or cancellation of the certificate.

APPROVED