VOTE SHEET

JANUARY 6, 2004

RE: Docket No. 031034-TI - Finding of insolvency cancellation by Florida Public Service Commission of IXC Registration No. TJ590 issued to VirtualCom, Inc. for violation of Section 364.336, Florida Statutes.

ISSUE 1: Should the Commission grant VirtualCom, Inc.'s request for cancellation of its tariff and removal of IXC Registration No. TJ590 due to the finding of insolvency?

RECOMMENDATION: The Commission should grant the company a finding of insolvency cancellation of its tariff and removal of IXC Registration No. TJ590 with an effective date of November 7, 2003. In addition, the Division of the Commission Clerk and Administrative Services will be notified that the 2002 and 2003 RAFs, including statutory late payment charges for the year 2002, should not be sent to the Florida Department of Financial Services for collection, but that permission for the Commission to write off the uncollectible amount should be requested. If the tariff is cancelled and the company's name removed from the register in accordance with the Commission's Order from this recommendation, VirtualCom, Inc. should be required to immediately cease and desist providing intrastate interexchange service in Florida.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY	DISSENTING

REMARKS/DISSENTING COMMENTS:

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

APPROVED