

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JANUARY 6, 2004

RE: Docket No. 030776-TI - Cancellation of tariff and removal from register by Florida Public Service Commission of IXC Registration No. TJ374 issued to Next Communications, Inc. for violation of Section 364.336, Florida Statutes.

ISSUE 1: Should the Commission accept the settlement offer proposed by Next Communications, Inc. to resolve the apparent violation of Section 364.336, Florida Statutes?

RECOMMENDATION: The Commission should accept the company's 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 the company fails to pay in accordance with the terms of the Commission order, the company's tariff should be cancelled and its name removed from the register administratively. In addition, the company should be required to immediately cease and desist providing intrastate interexchange service in Florida. If the company's tariff is cancelled and its name removed from the register, and subsequently decides to reapply for registration as an intrastate interexchange telecommunications company, the company should be required to first pay any outstanding RAF, including statutory late payment charges, and the contribution.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Charles M. Davis*  
*Mark J. ...*  
*Michael ...*  
*J. Terry ...*  
*Andy Bradley*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE  
00140 JAN-6 3  
FPSC-COMMISSION CLERK

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon receipt of the \$500 contribution or cancellation of the tariff and removal from the register.

**APPROVED**