

VOTE SHEET

FEBRUARY 3, 2004

RE: Docket No. 031013-TX - Cancellation by Florida Public Service Commission of CLEC Certificate No. 7737 issued to Kernan Associates, Ltd. d/b/a St. Johns Estates, for violation of Rule 25-24.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

ISSUE 1: Should the Commission accept the settlement offer proposed by Kernan Associates, Ltd. d/b/a St. Johns Estates to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

RECOMMENDATION: The Commission should accept the company's settlement proposal. Any contribution should be received by the Commission within 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, Certificate No. 7737 should be cancelled administratively. If Kernan Associates, Ltd. d/b/a St. Johns Estates' certificate is cancelled in accordance with the Commission's Order from this recommendation, the company should be required to immediately cease and desist providing competitive local exchange telecommunications service in Florida.

APPROVED

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC _____
- OTH _____

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Charles M. Dorn _____

John J. Jaber _____

Marta... _____

Jerry... _____

Rudy... _____

REMARKS/DISSENTING COMMENTS:

Commissioner Jaber participated in the conference by telephone. (She agreed with/dissented from the majority vote and will sign the vote sheet upon return to the office.

DOCUMENT NUMBER: DATE

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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 \$100 contribution or cancellation of the certificate.

APPROVED