

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MARCH 30, 2004

RE: Docket No. 040158-TX - Compliance investigation of EZ Talk Communications, L.L.C. for apparent violation of Rule 25-22.032, F.A.C., Consumer Complaints.

Issue 1: Should the Commission impose a penalty on EZ Talk Communications, L.L.C. of \$10,000 per apparent violation, for a total of \$20,000, for two apparent violations of Rule 25-22.032(5)(a), Florida Administrative Code, Customer Complaints, or cancel EZ Talk Communications, L.L.C.'s competitive local exchange company (CLEC) Certificate No. 5530 and require the company to immediately cease and desist providing CLEC services in Florida, if the company fails to timely protest the Commission's Order and fails to pay the penalty within fourteen (14) calendar days after the issuance of the Consummating Order?

Recommendation: Yes.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners: Charles M. Bosh, Jaber, Mauter, Jerry Deane, and Rudy Bradley.

Four horizontal lines for dissenting signatures.

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.

04125 MAR 31 08

VOTE SHEET

MARCH 30, 2004

Docket No. 040158-TX - Compliance investigation of EZ Talk Communications, L.L.C. for apparent violation of Rule 25-22.032, F.A.C., Consumer Complaints.

(Continued from previous page)

Issue 2: Should this docket be closed?

Recommendation: The Order issued from staff's March 18, 2004 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 administratively upon receipt of the payment of the penalty or upon cancellation of the company's CLEC certificate.

APPROVED