

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 1, 2004

RE: Docket No. 040196-TI - Compliance investigation of Globcom, Inc. for apparent violation of Section 364.02(13), Florida Statutes.

Issue 1: Should the Commission impose a penalty upon Globcom, Inc. in the amount of \$10,000 for its apparent violations of Sections 364.02(13) and 364.04, Florida Statutes, and order the company to submit the required information listed in Attachment A of staff's May 20, 2004 memorandum to the Division of Regulatory Compliance and Consumer Assistance?

Recommendation: Yes.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Charles W. Darr*  
*Mark Kelly*  
*Maurice*  
*J. Terry*  
*Mindy Bradley*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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Docket No. 040196-TI - Compliance investigation of Globcom, Inc. for apparent violation of Section 364.02(13) and 364.04, Florida Statutes.

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Issue 2: Should this docket be closed?

Recommendation: The Order issued from this recommendation will become final and effective upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest that identifies with specificity the issues in dispute, in the form provided by Rule 28-106.201, Florida Administrative Code, within 21 days of the issuance of the Proposed Agency Action Order. As provided by Section 120.80(13)(b), Florida Statutes, any issues not in dispute should be deemed stipulated. If Globcom fails to timely file a protest and to request a Section 120.57, Florida Statutes, hearing, the facts should be deemed admitted, the right to a hearing waived, and the penalty should be deemed assessed. If Globcom fails to submit the required audit documentation and pay the \$10,000 penalty imposed in Issue 1 within fourteen (14) calendar days after the issuance of the Consummating Order, Registration No. TJ529 should be removed from the register, Globcom's tariff should be cancelled and the company should be required to immediately cease and desist providing interexchange telecommunications service in Florida. This docket should be closed administratively upon either the receipt of the payment of the penalty imposed and the required audit documentation, or upon cancellation of Registration No. TJ529 with its associated tariff.

**APPROVED**