

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 21, 2004

RE: Docket No. 040703-TC - Bankruptcy cancellation by Florida Public Service Commission of PATS Certificate No. 5878 issued to Phoenix Telecom, LLC d/b/a Phoenix Payphones, LLC, effective 4/2/04. (Deferred from September 7, 2004 conference.)

Issue 1: Should the Commission grant Phoenix Telecom, LLC d/b/a Phoenix Payphones, LLC cancellation of its Pay Telephone Service certificate with an effective date of April 2, 2004, due to bankruptcy; notify the Division of the Commission Clerk and Administrative Services that any unpaid RAFs, including statutory penalty and interest charges, should not be sent to the Florida Department of Financial Services and request permission to write off the uncollectible amounts; and require the company to immediately cease and desist providing pay telephone service in Florida?

Recommendation: Yes.

APPROVED



COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column: Chuck M. Darr, [unclear], J. Terry [unclear], and Thedy Bradley.

Four horizontal lines in the dissenting column, all of which are blank.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

10184 SEP 21 04

FPSC-COMMISSION CLERK

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(Continued from previous page)

Issue 2: Should this docket be closed?

Recommendation: Yes, if no protest is filed and upon issuance of a Consummating Order.

**APPROVED**