

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MAY 3, 2005

RE: Docket No. 050238-TX - Application for certificate to provide competitive local exchange telecommunications service by USA Telephone Inc. d/b/a Choice One Telecom.

Issue 1: Should the Commission accept the settlement offer proposed by USA Telephone Inc. d/b/a Choice One Telecom, and grant USA Telephone Inc. Certificate No. 8587 to operate as a competitive local exchange telecommunications company in Florida as provided by Section 364.337(1), Florida Statutes?

Recommendation: Yes. The new certificate should not, however, become active until full compliance with the settlement offer.

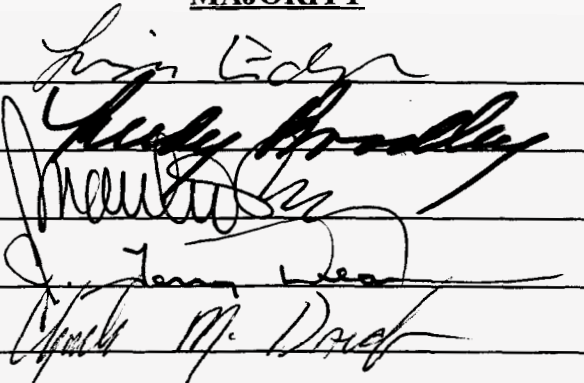
APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING



REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

04310 MAY-3 05

VOTE SHEET

MAY 3, 2005

Docket No. 050238-TX - Application for certificate to provide competitive local exchange telecommunications service by USA Telephone Inc. d/b/a Choice One Telecom.

(Continued from previous page)

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 Choice One fails to pay the amount of the voluntary contribution (including RAF collection costs), submit the required fees to FTRI, and provide a written report summarizing the fee amounts paid to FTRI within 15 days of the issuance of the Consummating Order resulting in the new certificate not becoming active, staff will notify underlying carriers to discontinue providing the company wholesale local exchange service and the company should be required to immediately cease and desist providing any telecommunications service in Florida. Payment of the voluntary contribution (including RAF collection costs) should be made to the Florida Public Service Commission, identified by docket number, and subsequently deposited in the General Revenue Fund, less the costs associated with the collection of RAFS. RAF collection costs should be deposited in the Public Service Regulatory Trust Fund. This docket should be closed administratively upon either receipt of the payment of the voluntary contribution and verification that required fees have been paid to FTRI, or upon notification to underlying carriers to discontinue providing the company wholesale local exchange service. The company is responsible for the payment of Regulatory Assessment Fees for the entire period it provides telecommunications service in Florida for 2005, whether or not the new certificate becomes active.

APPROVED