

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 29, 2005

RE: Request for cancellation of PATS certificates, effective December 31, 2005.

- Docket No. 050572-TC - Capital Property Solutions, Inc.
- Docket No. 050631-TC - Spearman Distributors, Inc.
- Docket No. 050674-TC - Transcommunications Incorporated
- Docket No. 050680-TC - DeBonis Enterprises, Inc.
- Docket No. 050688-TC - Harland King d/b/a Trecom Payphones

Issue 1: Should the Commission deny each company identified in Attachment A of staff's November 17, 2005 memorandum a voluntary cancellation of its respective pay telephone company (PATS) certificate and cancel the certificate on the Commission's own motion with an effective date of December 31, 2005?

Recommendation: Yes. The companies identified in Attachment A of staff's memorandum should have their respective PATS certificate cancelled on the Commission's own motion.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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Issue 2: Should these dockets be closed?

Recommendation: Staff recommends that 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 any company fails to timely file a protest and to request a Section 120.57, Florida Statutes, hearing, the facts should be deemed admitted and the right to a hearing waived. If any company fails to pay the Regulatory Assessment Fees, including statutory late payment charges, within fourteen (14) calendar days after the issuance of the Consummating Order, the company's certificate should be cancelled administratively and the collection of the past due Regulatory Assessment Fees, including statutory late payment charges, should be referred to the Florida Department of Financial Services for further collection efforts. If any company's certificate is cancelled in accordance with the Commission's Order from this recommendation, the company should be required to immediately cease and desist providing pay telephone service in Florida. These dockets should be closed administratively either upon receipt of the payment of the Regulatory Assessment Fees, including statutory late payment charges, or upon cancellation of the company's certificate.

APPROVED