

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DECEMBER 6, 2005

RE: **Docket No. 050710-TI** - Compliance investigation of Summit Telco, L.L.C., IXC Registration No. TJ469, for apparent violation of Section 364.336, F.S.

Issue 1: Should the Commission cancel Summit Telco, L.L.C.'s intrastate interexchange telecommunications company (IXC) tariff and Registration No. TJ469 with an effective date of December 31, 2005, and require the company to immediately cease and desist providing intrastate interexchange telecommunications service in Florida, for an apparent third violation of Section 364.336, Florida Statutes?

Recommendation: Yes. The company's IXC tariff should be cancelled and its name removed from the register for nonpayment of the 2004 Regulatory Assessment Fee for a third offense.



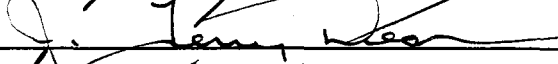


APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

11459 DEC-6 05

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(Continued from previous page)

Issue 2: Should this docket 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 the 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 the company's tariff and registration are cancelled in accordance with the Commission's Order from this recommendation, the company should be required to immediately cease and desist providing intrastate interexchange telecommunications service in Florida. If the company fails to pay the Regulatory Assessment Fee, including statutory late payment charges, within fourteen (14) calendar days after the issuance of the Consummating Order, the collection of the past due Regulatory Assessment Fee, including statutory late payment charges, should be referred to the Florida Department of Financial Services for further collection efforts. This docket should be closed administratively upon cancellation of the company's tariff and registration.

APPROVED