

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

October 3, 2006

Docket No. 050965-TX – Compliance investigation of Benchmark Communications, LLC d/b/a Com One for apparent violation of Section 364.183(1), F.S., Access to Company Records.

Issue 1: Should the Commission accept Benchmark Communications, LLC d/b/a Com One’s proposal to voluntarily contribute \$3,500 to the Commission to resolve its apparent violation of Section 364.183(1), Florida Statutes?

Recommendation: Yes. The Commission should accept the company’s settlement offer.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Katrina J. Jew
J. P. ...
Tom ...
Tom ...
Matt ...

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

09126 OCT-3 06

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Issue 2: Should this docket be closed?

Recommendation: If the Commission approves staff's recommendation on Issue 1, the docket should be closed administratively upon receipt of the \$3,500 contribution. The contribution, made payable to the Florida Public Service Commission, should be received by the Commission by November 10, 2006, and should identify the docket number and company name. The Commission should forward the contribution to the Florida Department of Financial Services for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the company fails to pay in accordance with the terms of the Commission's Order, Certificate No. 8568 should be cancelled administratively. If the company's certificate is cancelled in accordance with the Commission's Order from this recommendation, it should be required to immediately cease and desist providing competitive local exchange telecommunications service in Florida.

APPROVED