

VOTE SHEET

March 13, 2007

Docket No. 060825-TI – Acknowledgment of cancellation of IXC Registration No. TJ509 by Gates Communications, Inc., effective December 26, 2006.

**Issue 1:** Should the Commission deny Gates Communications, Inc., a voluntary cancellation of its IXC tariff and Registration No. TJ509 and cancel the tariff and remove the company's name from the register on the Commission's own motion with an effective date of December 26, 2006?

**Recommendation:** Yes. The company should be denied a voluntary cancellation as listed on Attachment A of staff's March 1, 2007, memorandum.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Katrina J. McMurrin*  
*[Signature]*  
*[Signature]*  
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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**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 pays the Regulatory Assessment Fees prior to the expiration of the Proposed Agency Action Order, then the cancellation of the company's tariff and the removal of its name from the register will be voluntary. If the company fails to pay the Regulatory Assessment Fees prior to the expiration of the Proposed Agency Action Order, then the company's IXC tariff should be cancelled administratively and its name removed from the register, and the collection of the past due Regulatory Assessment Fees should be referred to the Florida Department of Financial Services for further collection efforts. If the company's IXC tariff is cancelled and its name removed from the register 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. This docket should be closed administratively either upon receipt of the payment of the Regulatory Assessment Fees or upon cancellation of the company's IXC tariff and removal of its name from the register.

**APPROVED**