

VOTE SHEET

September 11, 2007

Docket No. 070289-TC – Request for cancellation of PATS Certificate No. 7822 by Bruce D. Bahret, effective 4/23/07.

**Issue 1:** Should the Commission deny Bruce D. Bahret a voluntary cancellation of its Pay Telephone Certificate No. 7822 and cancel the certificate on the Commission’s own motion with an effective date of April 23, 2007?

**Recommendation:** Yes. The company should be denied a voluntary cancellation as listed on Attachment A of staff’s memorandum dated August 29, 2007.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

*Neil A. J...*  
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*Katrina J. McMurrin*  
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*Jim Coy*  
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*Scott J. H...*  
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*St. ...*  
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

08219 SEP 11 07

FPSC-COMMISSION CLERK

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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 pay telephone company certificate 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 pay telephone company certificate should be cancelled administratively, 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 pay telephone company 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. This docket should be closed administratively either upon receipt of the payment of the Regulatory Assessment Fees or upon cancellation of the company's pay telephone company certificate.

**APPROVED**