

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

October 14, 2008

Docket No. 080218-TP – Request for cancellation of CLEC Certificate No. 8380, and for acknowledgment of cancellation of IXC Registration No. TJ812 held by ONS-Telecom, LLC, effective April 15, 2008.

Issue 1: Should the Commission deny ONS-Telecom, LLC, a voluntary cancellation of its CLEC Certificate No. 8380 and IXC Registration No. TJ812 and cancel the tariff and remove the company's name from the register on the Commission's own motion with an effective date of April 15, 2008?

Recommendation: Yes, the company should be denied voluntary cancellations as listed on Attachment A of staff's memorandum dated October 2, 2008.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of commissioners under the MAJORITY column, including Katrina J. McMurrin.

REMARKS/DISSENTING COMMENTS: Commissioner McMurrin participated in the conference by telephone. She will sign the vote sheet upon return to the office.

DOCUMENT NUMBER-DATE

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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 pays the Regulatory Assessment Fees, including applicable late payment charges, prior to the expiration of the Proposed Agency Action Order, then the cancellation of the company's competitive local exchange telecommunications certificate and intrastate interexchange carrier tariff and the removal of its name from the register will be voluntary. If the company fails to pay the Regulatory Assessment Fees, including applicable late payment charges, prior to the expiration of the Proposed Agency Action Order, then the company's competitive local exchange telecommunications certificate and intrastate interexchange carrier tariff should be cancelled administratively and its name removed from the IXC 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 competitive local exchange telecommunications certificate and intrastate interexchange carrier tariff are 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 telecommunications service in Florida. This docket should be closed administratively either upon receipt of payment of the Regulatory Assessment Fees, including applicable late payment charges, or upon cancellation of the company's competitive local exchange telecommunications certificate and intrastate interexchange carrier tariff and removal of its name from the register.

**APPROVED**