

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

October 28, 2008

Docket No. 080217-TI – Acknowledgment of cancellation of IXC Registration No. TI517 by Voiceware Systems Corporation, effective February 28, 2008.

Docket No. 080239-TI – Acknowledgment of cancellation of IXC Registration No. TJ791 by Burno, Inc. d/b/a Citywide-Tel, effective April 28, 2008.

Docket No. 080505-TI – Acknowledgment of cancellation of IXC Registration No. TJ613 by National Telephone Exchange, Inc., effective July 21, 2008.

Issue 1: Should the Commission deny Voiceware Systems Corporation, Burno, Inc. d/b/a Citywide-Tel, and National Telephone Exchange, Inc., a voluntary cancellation of their respective intrastate interexchange telecommunications carrier (IXC) tariffs and Registration Nos. TI517, TJ791, and TJ613, and cancel the tariffs and remove each entity's respective name from the register on the Commission's own motion with an effective date as listed in the docket titles?

Recommendation: Yes, each entity should be denied a voluntary cancellation as listed on Attachment A of staff's memorandum dated October 16, 2008.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners on a set of four horizontal lines.

Four horizontal lines for dissenting signatures, currently blank.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

10164 OCT 28 8

FPSC-COMMISSION CLERK

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Issue 2: Should these dockets 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 any entity 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 an entity pays the Regulatory Assessment Fees, including any accrued late payment charges, prior to the expiration of the Proposed Agency Action Order, then that cancellation of each entity's respective tariff and the removal of its name from the register will be voluntary. If an entity fails to pay the Regulatory Assessment Fees, including any accrued late payment charges, prior to the expiration of the Proposed Agency Action Order, then that entity's respective IXC tariff should be cancelled administratively and its name removed from the register, and the collection of the unpaid Regulatory Assessment Fees, including any accrued statutory late payment charges, should be referred to the Florida Department of Financial Services for further collection efforts. If an entity's respective IXC tariff is cancelled and its name removed from the register in accordance with the Commission's Order from this recommendation, that entity should be required to immediately cease and desist providing telecommunications service in Florida. These dockets should be closed administratively either upon receipt of the payment of the Regulatory Assessment Fees, including any accrued statutory late payment charges, or upon cancellation of each entity's respective IXC tariff and removal of its name from the register.

APPROVED