

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

March 17, 2009

Docket No. 080653-TX – Request for cancellation of CLEC Certificate No. 6040 by Reliant Communications, Inc., effective October 27, 2008.

**Issue 1:** Should the Commission vacate Order No. PSC-09-0020-PAA-TX, issued on January 6, 2009, and grant the company a voluntary cancellation?

**Recommendation:** Yes, Order No. PSC-09-0020-PAA-TX should be vacated and the company should be granted a voluntary cancellation.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

  
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 Katrina J. McMurrin  
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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's CLEC certificate is cancelled 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. If there is no protest, this docket should be closed upon issuance of the Consummating Order.

**APPROVED**