

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

April 7, 2009

Docket No. 090106-TX – Investigation and determination of appropriate method for refunding apparent overcharges by Image Access, Inc. d/b/a NewPhone, Inc. due to overbilling on TASA fees.

Issue 1: Should the Commission accept Image Access, Inc. d/b/a NewPhone, Inc.'s proposal to issue a refund of \$2,164.16, plus interest in the amount of \$113.29, for a total of \$2,277.45, to the affected customers during the April 2009 billing cycle; require the company to remit any unrefundable monies to the Commission by August 31, 2009, for deposit in the General Revenue Fund; and require the company to submit a refund report by August 31, 2009, to the Commission stating, (1) how much was refunded to its customers, (2) the total number of customers receiving refunds, and (3) the amount of money determined to be unrefundable?

Recommendation: Yes, the Commission should accept Image Access's refund proposal.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of commissioners in the majority column, including names like Katrina J. McMissian and others.

Empty lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

03109 APR-8 8

FPSC-COMMISSION CLERK

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**Issue 2:** Should this docket be closed?

**Recommendation:** The Order issued from this recommendation will be a proposed agency action. Thus, the Order will become final and effective upon issuance of the Consummating Order if no person whose substantial interests are affected timely files a protest within 21 days of issuance of this Order. The company should submit its final report, identified by docket number, by August 31, 2009. If any monies are not refunded, Image Access should submit payment of these monies to the Commission at the time it submits its final report, and the Commission shall deposit these monies in the General Revenue Fund. Upon receipt of the final report, this docket should be closed administratively if no timely protest has been filed.

**APPROVED**