

VOTE SHEET

July 14, 2009

Docket No. 090143-TC – Request for cancellation of PATS Certificate No. 5418 by John Palumbo d/b/a Duck's Back Enterprises, effective March 16, 2009.

Issue 1: Should the Commission vacate Order No. PSC-09-0353-PAA-TC, issued on May 26, 2009; cancel John Palumbo d/b/a Duck's Back Enterprises' pay telephone certificate on the Commission's own motion due to bankruptcy with an effective date of March 16, 2009; direct the Division of Administrative Services to request permission from the Florida Department of Financial Services to write off any unpaid Regulatory Assessment Fees, including statutory late payment charges, instead of requesting collection services; and require the company to immediately cease and desist providing telecommunications service in Florida?

Recommendation: Yes, Order No. PSC-09-0353-PAA-TC should be vacated and the company's pay telephone certificate should be cancelled on the Commission's own motion due to bankruptcy as listed on Attachment A of staff's memorandum dated July 1, 2009.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the Majority column:

Katrina J. McTurrian

Nancy Argenziano by Tony W. Harris

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

DOCUMENT NUMBER- DATE

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Issue 2: Should this docket be closed?

Recommendation: Yes, this docket should be closed if no protest is filed and upon issuance of a Consummating Order.

APPROVED