

VOTE SHEET

August 18, 2009

Docket No. 090086-TS – Compliance investigation of Roberta L. Marcus, Inc. d/b/a Marcus Centre, for apparent violation of Rule 25-24.565, F.A.C., Certificate of Public Convenience and Necessity Required.

Docket No. 090187-TS – Application for certificate to provide shared tenant telecommunications service by Roberta L. Marcus, Inc. d/b/a Marcus Centre.

Issue 1: Should the Commission accept Roberta L. Marcus, Inc. d/b/a Marcus Centre's proposed settlement offer to submit a payment in the amount of \$500 to resolve the company's apparent violation of Rule 25-24.565, Florida Administrative Code, Certificate of Public Convenience and Necessity Required?

Recommendation: Yes, the Commission should accept Roberta L. Marcus, Inc. d/b/a Marcus Centre's proposed settlement offer to submit a payment in the amount of \$500 to resolve the company's apparent violation of Rule 25-24.565, Florida Administrative Code, Certificate of Public Convenience and Necessity Required.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column: nca, Katsina J. McMurrian, [unclear], Lisa [unclear], and Mary Argenziano.

Four horizontal lines in the dissenting column, all of which are blank.

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
08600 AUG 19 09
FPSC-COMMISSION CLERK

Vote Sheet

August 18, 2009

Docket No. 090086-TS – Compliance investigation of Roberta L. Marcus, Inc. d/b/a Marcus Centre, for apparent violation of Rule 25-24.565, F.A.C., Certificate of Public Convenience and Necessity Required.

Docket No. 090187-TS – Application for certificate to provide shared tenant telecommunications service by Roberta L. Marcus, Inc. d/b/a Marcus Centre.

(Continued from previous page)

**Issue 2:** Should the Commission grant Roberta L. Marcus Inc. d/b/a Marcus Centre a Certificate of Public Convenience and Necessity, STS Certificate No. 8761, to provide shared tenant services at 9990 S.W. 77<sup>th</sup> Avenue, Miami, Florida?

**Recommendation:** Yes, the Commission should grant Roberta L. Marcus, Inc. d/b/a Marcus Centre a Certificate of Public Convenience and Necessity, STS Certificate No. 8761, to provide shared tenant services at 9990 S.W. 77<sup>th</sup> Avenue, Miami, Florida.

**APPROVED**

**Issue 3:** Should these dockets be closed?

**Recommendation:** If the Commission approves staff's recommendation in Issues 1 and 2, these dockets should remain open pending the receipt of the \$500 settlement payment. The payment should be received by the Commission within fourteen (14) calendar days after the issuance of the Consummating Order. The payment should be made payable to the Florida Public Service Commission and should identify the docket number and the company's name. Upon receipt of payment, the Commission shall forward it to the Division of Financial Services to be deposited into the General Revenue Fund. If Marcus Centre fails to pay the \$500 within fourteen (14) calendar days after the issuance of the Consummating Order, staff should provide a copy of the Commission's Order to Marcus Centre's underlying carrier and notify the carrier to discontinue provisioning telephone service at 9990 S.W. 77<sup>th</sup> Avenue, Miami, Florida. These dockets should be closed administratively upon receipt of the \$500 settlement payment or upon disconnection of telephone service at 9990 S.W. 77<sup>th</sup> Avenue, Miami, Florida.

**APPROVED**