# FLORIDA PUBLIC SERVICE COMMISSION

## VOTE SHEET

### March 16, 2010

**Docket No. 090513-TI** – Acknowledgment of cancellation of IXC Registration No. TK249 by New Venture L.L.C., effective November 12, 2009.
**Docket No. 090541-TI** – Acknowledgment of cancellation of IXC Registration No. TI534 by Pioneer Telecom, Inc., effective October 13, 2009.
**Docket No. 100061-TI** – Acknowledgment of cancellation of IXC Registration No. TK105 by Atlantic Ventures Group, Inc. d/b/a Direct Connek, effective December 31, 2009.

**Issue 1:** Should the Commission deny New Venture L.L.C., Pioneer Telecom, Inc., and Atlantic Ventures Group, Inc. d/b/a/ Direct Connek a voluntary cancellation of their respective intrastate interexchange telecommunications carrier (IXC) tariffs and Registration Nos. TK249, TI534, and TK105, 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, unless an entity pays the Regulatory Assessment Fees, including any accrued late payment charges, prior to the expiration of the Proposed Agency Action Order, that entity should be denied a voluntary cancellation as provided in Attachment A of staff's memorandum dated March 4, 2010.
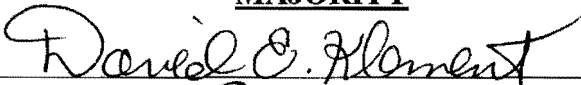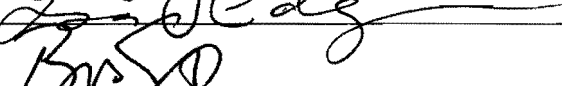
# APPROVED

**COMMISSIONERS ASSIGNED:** All Commissioners

## COMMISSIONERS' SIGNATURES

| MAJORITY | DISSENTING |
|---|---|
| | |

**REMARKS/DISSENTING COMMENTS:**

PSC/CLK033-C (Rev 03/07)

DOCUMENT NUMBER-DATE

01857 MAR 17 ≥

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 the 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. 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.

These dockets should be closed administratively either as a voluntary cancellation upon receipt of the payment of the Regulatory Assessment Fees, including any accrued statutory late payment charges, or cancelled involuntarily on the Commission's own motion. Upon cancellation of each entity's respective IXC tariff and removal of its name from the register, that entity should be required to immediately cease and desist providing telecommunications service in Florida.

# APPROVED