

VOTE SHEET

FEBRUARY 3, 1998

RE: DOCKET NO. 971486-TI - Initiation of show cause proceedings against MCI Telecommunications Corporation for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection.

Issue 1: Should the Commission order MCI Telecommunications Corporation to show cause why it should not have Certificate Number 61 canceled or be fined \$50,000 per violation for a total of \$6,850,000 for failure to comply with Rule 25-4.118, Florida Administrative Code, Interexchange Carrier Selection?

Recommendation: Yes. The Commission should order MCI to show cause in writing within 20 days of the issuance date of the order why it should not have Certificate Number 61 canceled or be fined \$50,000 per violation for a total of \$6,850,000 for failure to comply with Rule 25-4.118, Florida Administrative Code. Any collected fine monies should be forwarded to the Office of the Comptroller for deposit in the state General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

DEFERRED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS: To the March 10 Commission Conf.

COMMISSIONER GARCIA PARTICIPATED IN THE VOTE VIA VIDEO TELECONFERENCE. IN HIS VOTE, HE: AGREED WITH THE MAJORITY / DISSENTED. COMMISSIONER GARCIA WILL SIGN THE ORIGINAL VOTE SHEET UPON HIS RETURN TO TALLAHASSEE.

DOCUMENT NUMBER-DATE  
01759 FEB-4 88  
FPSC-RECORDS/REPORTING

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Issue 2: Should the Commission order MCI to show cause why it should not be restricted from obtaining new customers through any methods other than customer-initiated preferred carrier change requests with third-party verification for a period of one year from the effective resolution date of the show cause order?

Recommendation: Yes. The Commission should order MCI to show cause in writing within 20 days of the issuance date of the order why it should not be restricted from obtaining new customers through any methods other than customer-initiated preferred carrier change requests as a temporary condition to its certification for a period of one year from the effective resolution date of the show cause order.

Issue 3: Should this docket be closed?

Recommendation: If staff's recommendations in Issues 1 and 2 are approved, then MCI will have 20 days from issuance of the Commission's show cause order to respond in writing why it should not have its certificate canceled or be fined in the amount proposed. If MCI timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If MCI does not respond to the Commission's order to show cause, the facts alleged are deemed admitted and the fines should be assessed. If MCI fails to respond to the order to show cause, and the fines are not received within five business days after expiration of the show cause response period, MCI's certificate should be canceled and this docket closed administratively.