

VOTE SHEET

SEPTEMBER 1, 1998

RE: DOCKET NO. 980739-TI - Initiation of show cause proceedings against Total National Telecommunications, Inc. d/b/a Total World Telecom ("TWT") for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries; 25-4.0161, F.A.C., Regulatory Assessment Fees; 25-24.480(2)(a)(b), F.A.C., Records and Reports; Rules Incorporated; and 25-24.935, F.A.C., Discontinuance of Service.

Issue 1: Should TWT be required to show cause why it should not be fined \$1,500 or have its Certificate Number 3600 canceled for apparent violation of Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries?

Recommendation: Yes. The Commission should order TWT to show cause in writing within 21 days of the issuance date of the order why it should not be fined \$1,500 or have its certificate canceled for apparent failure to comply with Rule 25-4.043, 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.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER DATE

09689 SEP-4 98

REC-REG-RE-REPORTING

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Issue 2: Should TWT be required to show cause why it should not be fined \$500 or have its Certificate Number 3600 canceled for apparent violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees?

Recommendation: Yes. The Commission should order TWT to show cause in writing within 21 days of the issuance date of the order why it should not be fined \$500 or have its certificate canceled for apparent failure to comply with Rule 25-4.0161, 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.

APPROVED

Issue 3: Should TWT be required to show cause why it should not be fined \$1,000 or have its Certificate Number 3600 canceled for apparent violation of Rule 25-24.480(2)(a) and (b), Florida Administrative Code, Records and Reports; Rules Incorporated?

Recommendation: Yes. The Commission should order TWT to show cause in writing within 21 days of the issuance date of the order why it should not be fined \$1,000 or have its certificate canceled for apparent failure to comply with Rule 25-24.480(2)(a) and (b), 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.

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Issue 4: Should TWT be required to show cause why it should not be fined \$1,500 or have its Certificate Number 3600 canceled for apparent violation of Rule 25-24.935, Florida Administrative Code, Discontinuance of Service?

Recommendation: Yes. The Commission should order TWT to show cause in writing within 21 days of the issuance date of the order why it should not be fined \$1,500 or have its certificate canceled for apparent failure to comply with Rule 25-24.935, 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.

APPROVED

Issue 5: Should this docket be closed?

Recommendation: If staff's recommendations in Issues 1 - 4 are approved, then TWT will have 21 days from issuance of the Commission's show cause order to respond in writing why it should not be fined in the amounts proposed or have its certificate canceled. If TWT timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If TWT does not respond to the Commission's order to show cause, the fines should be assessed. Staff recommends that if TWT 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 and provide staff with the information required by Rule 25-24.480(2)(a) and (b), Florida Administrative Code, TWT's certificate should be canceled and this docket closed administratively.

APPROVED