

VOTE SHEET

DECEMBER 1, 1998

RE: DOCKET NO. 981234-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 1161 issued to Dunham's Grocery for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Issue 1: Should the Commission impose a \$500 fine or cancel Dunham's Grocery's Pay Telephone Certificate No. 1161 for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel the company's certificate if the fine and the regulatory assessment fees, including statutory penalties and interest, are not received by the Commission within five business days after the conclusion of the 21-day protest period. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's order is not protested and the fine and regulatory assessment fees, including statutory penalties and interest, are not received, the company's certificate should be canceled.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of four commissioners in the majority column.

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

REMARKS/DISSENTING COMMENTS:

Chairman Johnson participated in the conference via teleconference. She agreed with disented from the majority vote and will sign the vote sheet upon return to Tallahassee.

DOCUMENT NUMBER-DATE
13586 DEC-3 88
FPSC-RECORDS/REPORTING

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Issue 2: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected files a protest within 21 days of the issuance date of the order, the order will become final. Upon payment of the fines and fees, or cancellation of the certificate, this docket should be closed.

**APPROVED**