

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DECEMBER 1, 1998

RE: DOCKET NO. 981233-TA - Cancellation by Florida Public Service Commission of Alternative Access Vendor Certificate No. 4097 issued to U.S. Telesys, L.P. 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 the alternative access vendor certificate issued to the company listed on page 4 of staff's November 19, 1998 memorandum 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 listed on page 4 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

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING



Susan J. Clark

J. Tom

Joe

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.

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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 alternative access vendor certificate listed on page 4 should be canceled.

APPROVED

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