

VOTE SHEET

DECEMBER 5, 2000

RE: DOCKET NO. 001267-TI - Cancellation by Florida Public Service Commission of IXC Certificate No. 5273 issued to Fibernet, Inc. d/b/a Fibernet Telemanagement, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Issue 1: Should the Commission impose a \$1,000 fine or cancel Fibernet, Inc. d/b/a Fibernet Telemanagement, Inc.'s certificate for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$1,000 fine or cancel the company's certificate if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. 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 penalty and interest charges, are not received, the company's Certificate No. 5273 should be canceled administratively.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in blue ink over horizontal lines]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

15609 DEC-68

FPSC-RECORDS/REPORTING

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Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon receipt of the fine and fees or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order.

APPROVED