

FLORIDA PUBLIC SERVICE COMMISSION

15

VOTE SHEET

MAY 21, 2002

RE: Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Docket No. 020286-TX - Kexa Corp d/b/a Capital Exploration

Docket No. 020367-TX - Exario Telecom, Inc.

ISSUE 1: Should the Commission grant the companies listed on Attachment A of staff's May 9, 2002 memorandum a voluntary cancellation of their respective certificates?

RECOMMENDATION: No. The Commission should not grant the companies a voluntary cancellation of their respective certificates. The Commission should cancel each company's respective certificate on its own motion with an effective date as listed on Attachment A. The collection of the past due fees should be referred to the Office of the Comptroller for further collection efforts. If the certificates for each company as listed on Attachment A are cancelled in accordance with the Commission's Order from this recommendation, the respective companies should be required to immediately cease and desist providing alternative local exchange telecommunications services in Florida.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Andy Bradley
Michael B. B...
Mark J. ...
J. ...
Michael A. Palesti

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

05424 MAY 22 8

VOTE SHEET

MAY 21, 2002

Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

(Continued from previous page)

ISSUE 2: Should these dockets be closed?

RECOMMENDATION: The Order issued from this recommendation will become final upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of issuance of the Proposed Agency Action Order. These dockets should then be closed upon issuance of a Consummating Order. A protest in one docket should not prevent the action in a separate docket from becoming final.

APPROVED