

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 15, 2002

RE: Docket No. 020724-TI - Investigation and determination of appropriate method for refunding overcharges assessed on intrastate calls made using one plus service provided by Optical Telephone Corporation.

ISSUE 1: Should the Commission accept Optical Telephone Corporation's offer of refund and refund calculation of \$140,842.97 plus interest of \$2,336.33, for a total of \$143,179.30, for overcharges to customers on intrastate calls made using one plus service from August 31, 2001 through June 3, 2002?

RECOMMENDATION: Yes. The Commission should accept Optical's proposal to refund to the affected customers \$140,842.97, plus interest of \$2,336.33, for a total of \$143,179.30, for overcharges made on intrastate calls made using Optical's one plus service from August 31, 2001, through June 3, 2002. At the end of the refund period, any unrefunded amount, including interest, should be remitted to the Commission by March 3, 2003, and forwarded to the Comptroller for deposit in the General Revenue Fund, pursuant to Section 365.285(1), Florida Statutes. Optical shall submit a final report as required by Rule 25-4.114, Florida Administrative Code, Refunds, by March 3, 2003. If Optical fails to pay in accordance with its

DEFERRED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE
11175 OCT 15 2002
FPSC-COMMISSION

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refund offer, Certificate No. 7898 should be canceled administratively. If Optical's certificate is canceled in accordance with the Commission's Order, Optical should be required to immediately cease and desist providing interexchange telecommunications service in Florida.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: If no person whose interests are substantially affected by the proposed action files a protest of the Commission's decision in Issue 1 within the 21-day protest period, the Commission's Order will become final upon issuance of the Consummating Order. This docket should, however, remain open pending the completion of the refund and receipt of the final report on the refund, March 3, 2003. After completion of the refund and receipt of the final refund report, this docket should be closed administratively.