

VOTE SHEET

DECEMBER 16, 1997

RE: DOCKET NO. 971338-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4357 issued to Don Miller for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees.

Issue 1: Should the Commission impose a \$500 fine or cancel Mr. Miller's Pay Telephone Certificate No. 4357 for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel Mr. Miller's certificate if the fine and the regulatory assessment fees, including statutory penalties and interest, are not received by the Commission within 5 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 the regulatory assessment fees, including statutory penalties and interest, are not received, certificate number 4357 should be canceled.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Joe Garcia*  
*Susan L. Clark*  
*[Signature]*  
*J. Terry Dean*  
*[Signature]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE  
12856 DEC 17 5  
FPSC-RECORDS/REPORTING

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Issue 2: Should this docket be closed?

Recommendation: 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**