

VOTE SHEET

SEPTEMBER 22, 1998

RE: DOCKET NO. 980661-TI - Request for cancellation of Interexchange Telecommunications Certificate No. 3514 by Access Telecom, Inc., effective 5/14/98.

Issue 1: Should the Commission grant ATI a voluntary cancellation of Certificate No. 3514?

Recommendation: No.

DEFERRED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

Staff to advise

DOCUMENT NUMBER-DATE

10453 SEP 22 88

NOTE SHEET

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Issue 2: Should the Commission order ATI to show cause why it should not have Certificate No. 3514 canceled or be fined \$25,000 for apparent failure to comply with Rule 25-24.935, Florida Administrative Code, Discontinuance of Service?

Recommendation: Yes. The Commission should order ATI to show cause in writing within 21 days of the issuance date of the order why it should not be fined \$25,000 or have its certificate canceled for failure to comply with Rule 25-24.935, Florida Administrative Code. Any collected fine monies should be forwarded to the Office of the Comptroller for deposit in the state General Revenue Fund pursuant to Section 364.285(1), Florida Statutes.

Issue 3: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 2 is approved, then ATI will have 21 days from issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed or have its certificate canceled. If ATI timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If ATI does not respond to the Commission's Order to Show Cause, the fine should be deemed assessed. Staff recommends that, if ATI fails to respond to the Order to Show Cause, and the fine is not received within five business days after expiration of the show cause response period, ATI's certificate should be canceled and this docket closed administratively.