

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JANUARY 19, 1999

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

- DOCKET NO. 981613-TC - Jeffrey Dean Emming
- DOCKET NO. 981614-TC - Amariyls Lopez
- DOCKET NO. 981615-TC - Robert Michael Alley
- DOCKET NO. 981616-TC - Fast Lanes Communication Inc.
- DOCKET NO. 981617-TC - Gerard Behan

Issue 1: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to each company listed on page 5 of staff's January 7, 1999 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's certificate as listed on page 5 of staff's memorandum if the fine and the regulatory assessment fees, including statutory penalties and interest, are not received by the Commission within five 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

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

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Section 364.285(1), Florida Statutes. If the Commission's order is not protested and the fine and regulatory assessment fees, including statutory penalties and interest, are not received, the pay telephone certificate numbers listed on page 5 should be canceled with an effective date of December 31, 1998.

APPROVED

Issue 2: Should these dockets be closed?

Recommendation: Yes. 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 certificates, these dockets should be closed. A protest in one docket should not prevent the action in a separate docket from becoming final.

APPROVED