

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 5, 1999

RE: DOCKET NO. 971279-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3905 issued to Mark D. Ridley for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees.

Issue 1: Should the Commission, on its own motion, dismiss Mark Ridley's December 4, 1997, protest of Order No. PSC-97-1454-FOF-TC?

Recommendation: Yes. Staff recommends that the Commission dismiss Mr. Ridley's December 4, 1997, protest and reinstate Order No. PSC-97-1454-FOF-TC as a final order, effective October 5, 1999, with the modification that Mr. Ridley no longer has five days to pay the \$500 fine in order to avoid cancellation of his certificate. Mr. Ridley has failed to pursue his protest and has refused to pay the fine amount and his past due regulatory assessment fees; therefore, his certificate should simply be canceled. All past due regulatory assessment fees for Mr. Ridley, along with statutory penalties and interest charges, should be forwarded to the Office of the Comptroller for further collection efforts, and all certificated local exchange companies should be instructed to discontinue service to Mr. Ridley, pursuant to Rule 25-24.510, Florida Administrative Code, Certificate of Public Convenience and Necessity Required.

The action recommended herein should in no way relieve Mr. Ridley of his obligation to pay 1997 and 1998 regulatory assessment fees, which are now also past due, and 1999 regulatory assessment fees, which are not yet past due. The 1997 and 1998 fees should also be forwarded to the Office of the Comptroller for further collection efforts, along with statutory penalties

COMMISSIONERS ASSIGNED: DS JN JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE
12102 OCT-6 88
FPSC-RECORDS/REPORTING

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and interest charges. If Mr. Ridley fails to pay 1999 regulatory assessment fees, the 1999 fees should also be forwarded to the Office of the Comptroller for further collection efforts. If the Commission approves staff's recommendation, failure to pay 1997, 1998, and 1999 fees should not, however, result in additional punitive action by the Commission.

APPROVED

Issue 2: Should this Docket be closed?

Recommendation: If the Commission approves staff's recommendation in Issue 1, no further action will be necessary. Therefore, this Docket may be closed.

APPROVED