

VOTE SHEET

DECEMBER 1, 1998

RE: DOCKET NO. 981230-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3271 issued to Pay Phone Distributors, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-4.043, F.A.C., Response to Commission Staff Inquiries.

Issue 1: Should the Commission impose a \$500 fine or cancel Pay Phone Distributors, Inc.'s Pay Telephone Certificate No. 3271 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 Pay Phone Distributors, Inc.'s certificate 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

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the Majority column]

[Empty lines in the Dissenting column]

REMARKS/DISSENTING COMMENTS:

Chairman Johnson participated in the conference via teleconference. She agreed with ~~dissented from~~ the majority vote and will sign the vote sheet upon return to Tallahassee.

DOCUMENT NUMBER-DATE

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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 regulatory assessment fees, including statutory penalties and interest, are not received, the pay telephone certificate should be canceled.

APPROVED

Issue 2: Should the Commission impose a \$10,000 fine or cancel Pay Phone Distributors, Inc.'s Pay Telephone Certificate No. 3271 for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries?

Recommendation: Yes. The Commission should impose a \$10,000 fine or cancel the company's Certificate No. 3271 if the company does not respond to staff's request for information as required by Rule 25-4.043, F.A.C. and the fine is 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 Section 364.285(1), Florida Statutes. If the Commission's order is not protested and the required response and fine are not received, Pay Telephone Certificate No. 3271 should be canceled.

APPROVED

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Issue 3: Should this docket 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 certificate, this docket should be closed.

APPROVED