

VOTE SHEET

DECEMBER 4, 2001

RE: Docket No. 011027-TI - Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 6094 issued to Legends Communications, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

ISSUE 1: Should the Commission impose a \$1,000 fine or cancel Legends Communications, Inc.'s certificate for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

RECOMMENDATION: Yes. The Commission should impose a \$1,000 fine or cancel the company's certificate if the fine is not received by the Commission within five business days after the issuance of the Consummating Order. 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 is not received, the company's Certificate No. 6094 should be cancelled administratively.

MODIFIED

~~The fine was suspended conditioned upon the company making future filings on a timely basis.~~

The \$1,000 fine was imposed but suspended conditioned upon the company filing their RAF forms on a timely basis. The order will be issued as a PAA.

COMMISSIONERS ASSIGNED: Full Commission

CCA note: Vote sheet further modified after review of audiotape.

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

kg
12/12/01

Samuel A. Palesti
[Signature]
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REMARKS/DISSENTING COMMENTS:

replacement
DOCUMENT NUMBER-DATE

15147 DEC-4 01

FPSC-COMMISSION CLERK

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: The Order issued from this recommendation will become final upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action Order. The docket should then be closed upon receipt of the fine or cancellation of the certificate.

APPROVED