

VOTE SHEET

APRIL 28, 1998

RE: DOCKET NO. 980180-TI - Initiation of show cause proceedings against Destiny Telecomm International, Inc. for violation of Rules 25-4.043, F.A.C., Response to Commission Staff Inquiries, 25-24.490, F.A.C., Customer Relations; Rules Incorporated, 25-4.111, F.A.C., Customer Complaint and Service Requests, 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company, and 25-24.485, F.A.C., Tariffs.

Issue 1: Should Destiny be ordered to show cause why it should not be fined \$25,000 pursuant to Section 364.285, Florida Statutes, or have its Certificate No. 5168 cancelled for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries; Rule 25-24.490, Florida Administrative Code, Customer Relations; Rules Incorporated; 25-4.111, Florida Administrative Code, Customer Complaints and Service Requests; 25-4.113, Florida Administrative Code, Refusal or Discontinuance of Service by Company, and Rule 24-24.485, Florida Administrative Code, Tariffs?

Recommendation: Yes. The Commission should require Destiny to show cause in writing within 20 days of issuance of the Commission's Order why it should not be fined for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries; Rule 25-24.490, Florida Administrative Code, Customer Relations; Rules Incorporated; Rule 25-4.111, Florida Administrative Code, Customer Complaints and Service Requests; Rule 25-4.113, Refusal or Discontinuance of Service by Company; and Rule 25-24.485 Tariffs, Florida Administrative Code, or have its certificate cancelled. If Destiny fails to respond to the show cause, the fines should be deemed assessed. If the fine are not

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column, including names like Susan J. ... and J. ...

Blank lines in the dissenting column.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

04750 APR 29 88

FPSC-RECORDS/REPORTING

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paid within five business days of expiration of the show cause response period, Destiny's certificate should be cancelled. If the fines are paid, they should be forwarded to the office of the Comptroller for deposit in Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

MODIFIED

Approved all modifications addressed at the conference. Any fraudulent activity should be referred to the State Attorney.

Issue 2: Should the Commission order all certified interexchange companies (IXCs) to discontinue providing interexchange telecommunications service to Destiny, pursuant to Rule 25-24.4701(3), Florida Administrative Code?

Recommendation: Yes. At the conclusion of the show cause, the interexchange companies will be notified to disconnect the service if appropriate.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 1 is approved, Destiny will have 20 days from issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed. If Destiny does not respond to the Commission's Order to Show Cause, and the fines are not received within five (5) business days after expiration of the show cause period, Destiny's certificate should be cancelled and this docket closed.

APPROVED