

VOTE SHEET

MARCH 16, 1999

RE: DOCKET NO. 980459-TP - Flow-through of 1998 LEC switched access reductions by IXC's, pursuant to Section 364.163(6), F.S.

Issue 1: Should MCI's September 28, 1998, Request for Extension of Time to File Flow-through Tariffs be granted?

Recommendation: Yes. Although the tariffs were filed late, the customers have received the full benefit of the flow-through reductions.

**APPROVED**

Issue 2: Should the Commission grant Utilicore Corporation's January 12, 1999 request for a sixty-day extension of time in which to comply with the October 1, 1998 flow-through provisions?

Recommendation: No. Utilicore should be ordered to comply with the flow-through provisions within ten days of the Commission's decision on this issue.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in majority column]*  
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

03406 MAR 17 99

FPSC-RECORDS/REPORTING

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DOCKET NO. 980459-TP - Flow-through of 1998 LEC switched access reductions by IXCs, pursuant to Section 364.163(6), F.S.

(Continued from previous page)

Issue 3: Should the Commission order Utilicore Corporation to show cause in writing why it should not be fined \$1,000 for refusal to comply with the provisions of Order No. PSC-98-0795-FOF-TP, issued June 8, 1998, and Section 364.163(3), Florida Statutes (1998)?

Recommendation: Yes. Utilicore Corporation has failed to file any information or tariffs required by Order No. PSC-98-0795-FOF-TP and Section 364.163(3), Florida Statutes (1998). Therefore, staff recommends that the Commission require Utilicore to show cause in writing within 21 days of issuance of the show cause order why it should not be fined \$1,000 for refusal to comply with a Commission order.

**APPROVED**

Issue 4: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 3 is approved, then Utilicore will have 21 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 Utilicore timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding.

Staff recommends that if Utilicore fails to respond to the Order to Show Cause, the fine will be deemed assessed. If the fine is not received within five business days after expiration of the show cause response period, it should be forwarded to the Office of the Comptroller for collection.

In this event, this docket should remain open until all necessary tariffs or information has been received to confirm that the IXCs' flow-throughs are complete for 1998.

**APPROVED**