

VOTE SHEET

APRIL 20, 1999

RE: DOCKET NO. 990360-TC - Initiation of show cause proceedings against Triplex Telephone Communications, Inc. for apparent violation of Rule 25-24.515, F.A.C., Pay Telephone Service, Rule 25-4.0161, F.A.C., Regulatory Assessment Fees, Telecommunications Companies, and Rule 25-4.043, F.A.C., Response to Commission Staff Inquiries.

Issue 1: Should Triplex Telephone Communications, Inc. be ordered to show cause why a fine of \$800 for apparent violations of Rule 25-24.515, Florida Administrative Code, Pay Telephone Service, \$500 for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees, and \$10,000 for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries, should not be imposed or certificate number 5940 should not be canceled?

Recommendation: Yes. The Commission should order Triplex to show cause in writing within 21 days of the effective date of the order why it should not have Certificate No. 5940 canceled or be fined \$800 for apparent violation of Rule 25-24.515, Florida Administrative Code, \$500 for apparent violation of Rule 25-4.0161, Florida Administrative Code, and \$10,000 for apparent violation of Rule 25-4.043, Florida Administrative Code. The company's response must contain specific allegations of fact or law. If Triplex fails to respond to the show cause, the fine will be deemed

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in the majority column]*

*[Empty lines for dissenting signatures]*

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

05035 APR 21 8

FPSC-RECORDS/REPORTING

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assessed. If the fine is not paid after reasonable collection efforts by the Commission, it should be forwarded to the Office of the Comptroller for collection. If the fine is paid it will be remitted by the Commission to the State of Florida General Revenue Fund pursuant to Section 364.285, Florida Statutes.

**APPROVED**

Issue 2: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 1 is approved, then Triplex will have 21 days from the issuance of the Commission's show cause order to respond in writing why it should not be fined in the amount proposed or have its certificate canceled. If Triplex timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. If Triplex does not respond to the Commission's Order to Show Cause, the fines should be assessed. The fines should be forwarded to the Office of the Comptroller for deposit in the General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. Staff recommends that if Triplex fails to respond to the Order to Show Cause, and the fines are not received within five business days after the expiration of the show cause response period, Triplex's certificate should be canceled and this docket closed administratively.

**APPROVED**