

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

December 16, 2008

Docket No. 080278-TL – Joint petition for show cause proceedings against Verizon Florida LLC for apparent violation of Rule 25-4.070, F.A.C., Customer Trouble Reports, and impose fines, by the Office of the Attorney General, Citizens of the State of Florida, and AARP.

Issue 1: Should the Commission order Verizon Florida LLC to show cause, in writing within 21 days from the issuance of the Commission’s Show Cause Order, why it should not be penalized in the amount of \$25,000 per violation, for a total of \$6.55 million, for two hundred sixty-two apparent violations of Rule 25-4.070, F.A.C., during 2007 as requested by the Petitioners?

Recommendation: No, the Commission should order Verizon Florida LLC to show cause, in writing within 21 days from the issuance of the Commission’s Show Cause Order, why it should not be penalized in the amount of \$10,000 per violation, for a total of \$2.62 million, for two hundred sixty-two apparent violations of Rule 25-4.070, F.A.C., during 2007.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners on a set of four horizontal lines.

Four horizontal lines for dissenting signatures, currently blank.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

11599 DEC 16 8

FPSC-COMMISSION CLERK

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Issue 2: For the year 2008, should the Commission order Verizon Florida LLC to show cause, in writing within 21 days from the issuance of the Commission's Show Cause Order, why it should not be penalized in the amount of \$10,000 per violation, for a total of \$1.94 million, for one hundred ninety-four (194) apparent violations of Rule 25-4.070, F.A.C.?

Recommendation: Yes, the Commission should order Verizon Florida LLC to show cause, in writing within 21 days from the issuance of the Commission's Show Cause Order, why it should not be penalized in the amount of \$10,000 per violation, for a total of \$1.94 million, for one hundred ninety-four (194) apparent violations of Rule 25-4.070, F.A.C., during 2008.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: If the Commission approves staff's recommendations, Verizon will have 21 days from the issuance of the Commission's Show Cause Order to respond in writing why it should not be penalized for its apparent violation of Rule 25-4.070, F.A.C. If the company timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceedings. If Verizon fails to respond to the show cause order or request a hearing, pursuant to Sections 120.569 and 120.57, Florida Statutes, within the 21-day response period, the facts shall be deemed admitted, the right to a hearing waived, and the penalties should be deemed assessed. If the company fails to respond to the order to show cause and the penalty is not paid within ten (10) business days after the expiration of the show cause response period, the penalty should be referred to the Department of Financial Services for collection, and this docket should be closed administratively.

APPROVED