

VOTE SHEET

FEBRUARY 16, 1999

RE: DOCKET NO. 981798-TC - Initiation of show cause proceedings against Telaleasing Enterprises, Inc. for violation of Rules 25-24.515, F.A.C., Pay Telephone Service, and 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Issue 1.: Should Telaleasing Enterprises, Inc. be ordered to show cause why it should not be fined \$62,000 or Certificate Number 2358 should not be canceled for apparent violations of Rule 25-24.515, Florida Administrative Code?

Recommendation: Yes. Due to the number and severity of apparent violations found during routine service evaluations, staff recommends that the Commission order Telaleasing to show cause why it should not be fined \$62,000 or have its certificate canceled for numerous apparent violations of the Commission's pay telephone service standards in Rule 25-24.515, Florida Administrative Code.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

Deferred to the March 30, 1999 Commission Conference.

DOCUMENT NUMBER-DATE

02069 FEB 16 99

VOTE SHEET

FEBRUARY 16, 1999

DOCKET NO. 981798-TC - Initiation of show cause proceedings against Telaleasing Enterprises, Inc. for violation of Rules 25-24.515, F.A.C., Pay Telephone Service, and 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

(Continued from previous page)

Issue 2: Should the Commission impose a \$500 fine or cancel Telaleasing Enterprises, Inc.'s Pay Telephone Certificate No. 2358 for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel Telaleasing's Certificate No. 2358 if the fine and the regulatory assessment fees, including statutory penalties and interest, are not received by the Commission within 5 business days after the conclusion of the 21-day protest period. 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 and the regulatory assessment fees, including statutory penalties and interest, are not received, Certificate No. 2358 should be canceled.

Issue 3: Should this docket be closed?

Recommendation: If staff's recommendation in Issue 1 is approved, an order to show cause will be issued. If Telaleasing timely responds to the show cause order, this docket should remain open pending resolution of the show cause proceeding. The docket should also remain open to process any protest to Issue 2 that may be filed within 21 days of issuance of the order by a person whose substantial interests are affected by the Commission's proposed agency action. If Telaleasing does not respond to the Commission's order to show cause, the fine should be assessed, and the company will have five (5) business days from the end of the show cause response period to pay the fine. The fine shall be paid within five business days of the end of the show cause response period and forwarded to the Office of the Comptroller for deposit into the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If no timely protest to Issue 2 is filed and Telaleasing fails to respond to the order to show cause, this docket may be closed.