

VOTE SHEET

MARCH 16, 1999

RE: DOCKET NO. 981569-TX - Cancellation by Florida Public Service Commission of Alternative Local Exchange Telecommunications Certificate No. 4424 issued to Telenet of South Florida, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-4.043, F.A.C., Response to Commission Staff Inquiries.

Issue 1: Should the Commission impose a \$500 fine or cancel Telenet of South Florida, Inc.'s ALEC Certificate No. 4424 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 the company's certificate if the fine and statutory penalties and interest are not received by the Commission within five 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 statutory penalties and interest are not received, the certificate should be canceled.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in majority column]*  
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*Susan Clark*  
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*[Signature]*  
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*J. Terry Dean*  
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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

03404 MAR 17 99

FPSC-RECORDS/REPORTING

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(Continued from previous page)

Issue 2: Should the Commission impose a \$10,000 fine or cancel Telenet of South Florida, Inc.'s ALEC Certificate No. 4424 for apparent violation of Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries?

Recommendation: Yes. The Commission should impose a \$10,000 fine or cancel the company's certificate if the company does not respond to staff's request for information as required by Rule 25-4.043, F.A.C. and fine are not received by the Commission within five 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 required response and fine are not received, the company's certificate should be canceled.

**APPROVED**

Issue 3: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected files a protest within 21 days of the issuance date of the order, the order will become final. Upon payment of the fines and fees, or cancellation of the certificate, this docket should be closed.

**APPROVED**