

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 19, 1999

RE: Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

- DOCKET NO. 991159-TC - Mark Wayne Roberts
- DOCKET NO. 991160-TC - BT Foods, Inc.
- DOCKET NO. 991161-TC - Steven F. Guy d/b/a Suncoast Payphones
- DOCKET NO. 991163-TC - James A. Schmidt
- DOCKET NO. 991164-TC - Armin Gray

Issue 1: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to each company listed on page 4 of staff's October 7, 1999 memorandum 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 each company's certificate listed on page 4 if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after issuance of the Consummating Order. 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 regulatory assessment fees, including statutory penalty and interest

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signature]

Susan Clark

Joe Garcia

J. Terry Dean

REMARKS/DISSENTING COMMENTS:

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charges, are not received, the pay telephone certificates listed on page 4 should be canceled administratively.

APPROVED

Issue 2: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed upon receipt of the fine and fees or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of issuance of the proposed agency action order.

APPROVED