

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

APRIL 3, 2001

RE: DOCKET NO. 001436-TP - Petition by Pilgrim Telephone, Inc. for arbitration of certain issues in interconnection agreement with BellSouth Telecommunications, Inc.

ISSUE 1: Should the Commission grant BellSouth's Motion to Dismiss?
RECOMMENDATION: No. The Commission should deny BellSouth's Motion to Dismiss. Pilgrim is a telecommunications carrier as defined in Section 3(a)(49) of the Act, and is therefore entitled to file a petition for arbitration.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

*To the May 1, 2001
Commission Conference*

DEFERRED

DOCUMENT NUMBER-DATE

04157 APR-46

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ISSUE 2: Should the Commission, on its own motion, decline to hear Pilgrim's Petition for Arbitration?

RECOMMENDATION: Yes. The Commission, on its own motion, should decline to hear Pilgrim's Petition for Arbitration. Staff notes that this is an issue of first impression for the Commission. Staff recommends that companies which have to be certificated by the Commission prior to providing telecommunication services within the state should not avail themselves of the resources of the Commission and the State of Florida without first obtaining certification.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendations in Issue 1 and Issue 2, no other issues will remain for the Commission to address in this Docket. This Docket should, therefore, be closed.

