

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 11, 2002

RE: Docket No. 000028-TL - Petition by BellSouth Telecommunications, Inc. for waiver of Rules 25-4.107, 25-4.108, and 25-4.113, F.A.C., which require provision of basic telecommunications service to certain locations and persons.

ISSUE A: What is the Commission's jurisdiction in this matter?
RECOMMENDATION: Section 120.542, Florida Statutes, authorizes the Commission to grant variances and waivers to requirements of its rules.

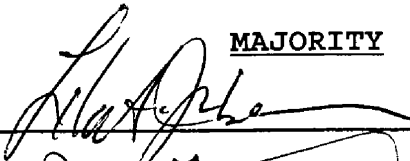
APPROVED

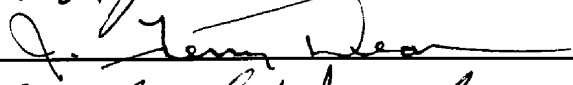
COMMISSIONERS ASSIGNED: Jaber, Deason, Palecki


COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING







REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

06056 JUN 11 02

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ISSUE 1: In the event that BellSouth Telecommunications, Inc. is granted a waiver of Rules 25-4.107, 25-4.108, and 25-4.113, Florida Administrative Code, as set forth in its petition, will the purpose of the underlying statutes be achieved by other means?

RECOMMENDATION: Yes. Staff believes that BellSouth Telecommunications, Inc. will achieve the underlying purpose of the statute by other means and with conditions imposed.

APPROVED

ISSUE 2: Does the application of Rules 25-4.107, 25-4.108, and 25-4.113, Florida Administrative Code, as set forth in BellSouth Telecommunications, Inc.'s petition, create a substantial hardship for BellSouth Telecommunications, Inc. or violate principles of fairness?

RECOMMENDATION: The Commission should find that the application of Rules 25-4.107, 25-4.108, and 25-4.113, Florida Administrative Code, as set forth in BellSouth Telecommunications, Inc.'s petition, creates a substantial hardship for BellSouth Telecommunications, Inc. in this limited circumstance.

APPROVED

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ISSUE 3: Should BellSouth Telecommunications, Inc. be granted a waiver of Rules 25-4.107, 25-4.108, and 25-4.113, Florida Administrative Code, as set forth in its petition?

RECOMMENDATION: Yes. The Commission should grant BellSouth Telecommunications, Inc.'s petition for waiver of Rules 25-4.107, 25-4.108, and 25-4.113, Florida Administrative Code, with the condition that BellSouth will make a determination whether an applicant is attempting to obtain service on Mr. Parks' behalf prior to denying service based on the location's association with Mr. Parks.

APPROVED

ISSUE 4: Should this docket be closed?

RECOMMENDATION: Yes. This docket should be closed.

APPROVED