

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JULY 23, 2002

RE: Docket No. 020535-TP - Request for approval of transfer of substantially all assets, including customer contracts, of e.spire operating entities to Xspedius operating entities; application for transfer of ALEC Certificate 4722 from American Communication Services of Jacksonville, Inc. d/b/a e.spire to Xspedius Management Co. of Jacksonville, LLC, for transfer of ALEC Certificate No. 5474 from ACSI Local Switched Services, Inc. d/b/a e.spire Communications, Inc. to Xspedius Management Co. Switched Services, LLC, and for transfer of IXC Certificate No. 5339 from ACSI Local Switched Services, Inc. d/b/a e.spire Communications, Inc. to Xspedius Management Co. Switched Services, LLC, and request for waiver of carrier selection requirement of Rule 25-4.118, F.A.C.

ISSUE 1: Should the Commission approve the acquisition of the telecommunications assets of the e.spire operating entities by the Xspedius operating entities, the transfer of ALEC Certificate 4722 from American Communications Services of Jacksonville, Inc. d/b/a e.spire to Xspedius Management Co. of Jacksonville, LLC, the transfer of ALEC Certificate No. 5474 from ACSI Local Switched Services, Inc. d/b/a e.spire Communications,

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the majority column]

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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Inc. to Xspedius Management Co. Switched Services, LLC, and the transfer of IXC Certificate No. 5339 from ACSI Local Switched Services, Inc. d/b/a e.spire Communications, Inc. to Xspedius Management Co. Switched Services, LLC?

RECOMMENDATION: Yes.

APPROVED

ISSUE 2: Should the Commission relieve the Xspedius operating entities in this instance of the carrier selection requirements in Rule 25-4.118, Florida Statutes?

RECOMMENDATION: Yes.

APPROVED

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes. If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

APPROVED