

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

AUGUST 3, 2004

RE: Docket No. 040659-TL - Petition for emergency temporary waiver of Rules 25-4.066(2) and (3); 25-4.070(3)(a), (3)(b), and (5); 25-4.073(1)(a), (1)(c), and (1)(d); 25-4.0770(2); 25-4.040(5); 25-4.111; and 25-22.032(4)(b) and (6)(b), F.A.C., by BellSouth Telecommunications, Inc.

Issue 1: Should the Commission approve BellSouth's Petition for emergency temporary waiver of Rules 25-4.066(2) and (3); 25-4.070(3)(a), (3)(b), and (5); 25-4.073(1)(a), (1)(c), and (1)(d); 25-4.0770(2); 25-4.040(5); 25-4.111; and 25-22.032(4)(b) and (6)(b), F.A.C?

Recommendation: Yes. With the exception of the portion of 25-4.040(5) that requires the company to maintain a listing for Poison Information Centers and Rules 25-4.111(2) and (3), staff recommends that the Commission should approve BellSouth's Petition for a temporary and emergency waiver of Rules 25-4.066(2) and (3); 25-4.070(3)(a), (3)(b), and (5); 25-4.073(1)(a), (1)(c), and (1)(d); 25-4.0770(2); 25-4.040(5); 25-4.111; and 25-22.032(4)(b) and (6)(b), F.A.C, for a period beginning the day work stoppage occurs, and ending the day BellSouth and CWA sign a work agreement. BellSouth should file notice of any work stoppage, or signing of an agreement, with the Division of the Commission Clerk and Administrative Services no later than the next business day after it occurs.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Chuck McDowell
Robert J. ...
Mark ...
J. ...
Nancy ...

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

08407 AUG -3 4

VOTE SHEET

AUGUST 3, 2004

Docket No. 040659-TL - Petition for emergency temporary waiver of Rules 25-4.066(2) and (3); 25-4.070(3)(a), (3)(b), and (5); 25-4.073(1)(a), (1)(c), and (1)(d); 25-4.0770(2); 25-4.040(5); 25-4.111; and 25-22.032(4)(b) and (6)(b), F.A.C., by BellSouth Telecommunications, Inc.

(Continued from previous page)

Issue 2: Should the Commission acknowledge BellSouth's intention to invoke the provisions of Section 2(D)(1) of the Settlement between the Office of Public Counsel and BellSouth as approved by Order Numbers PSC-01-1643-AS-TL and PSC-02-0197-PAA-TL for a period beginning the day work stoppage occurs, and ending the day BellSouth and CWA sign a work agreement?

Recommendation: Yes. Staff recommends that the Commission should acknowledge BellSouth's intention to invoke the provisions of Section 2(D)(1) of the Settlement between the Office of Public Counsel and BellSouth as approved by Order Numbers PSC-01-1643-AS-TL and PSC-02-0197-PAA-TL for a period beginning the day work stoppage occurs, and ending the day BellSouth and CWA sign a work agreement. BellSouth should file notice of any work stoppage, or signing of an agreement, with the Division of the Commission Clerk and Administrative Services no later than the next business day after it occurs.

Issue 3: Should the Commission order BellSouth to publicize, through radio, television, and newspaper advertisements, the potential of delays in service and support to customers, if there is a work stoppage by the CWA?

Recommendation: Yes. Staff recommends that the Commission should order BellSouth to publicize, through radio, television, and newspaper advertisements, the potential of delays in service and support to customers, if there is a work stoppage by the CWA. BellSouth should prepare announcements in advance, for staff review, and immediately release the prepared announcements if a work stoppage occurs.

VOTE SHEET

AUGUST 3, 2004

Docket No. 040659-TL - Petition for emergency temporary waiver of Rules 25-4.066(2) and (3); 25-4.070(3)(a), (3)(b), and (5); 25-4.073(1)(a), (1)(c), and (1)(d); 25-4.0770(2); 25-4.040(5); 25-4.111; and 25-22.032(4)(b) and (6)(b), F.A.C., by BellSouth Telecommunications, Inc.

(Continued from previous page)

Issue 4: Should this docket be closed?

Recommendation: No. If staff's recommendations are approved or denied, the result will be a proposed agency action order. If no timely protest to the proposed agency action is filed within 21 days of the date of the issuance of the Order, the Commission's decision shall be final and effective upon issuance of the consummating order. This docket shall remain open pending notification that an agreement has been reached by BellSouth and the CWA. Thereafter, this docket shall be closed administratively if no further action from the Commission is required.