

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

NOVEMBER 1, 2005

RE: **Docket No. 041338-TP** - Joint petition by ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom d/b/a Grapevine; Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch; DIECA Communications, Inc. d/b/a Covad Communications Company; Florida Digital Network, Inc.; LecStar Telecom, Inc.; MCI Communications, Inc.; and Network Telephone Corporation ("Joint CLECs") for generic proceeding to set rates, terms, and conditions for hot cuts and batch hot cuts for UNE-P to UNE-L conversions and for retail to UNE-L conversions in BellSouth Telecommunications, Inc. service area.

**Docket No. 040301-TP** - Complaint of Supra Telecommunications and Information Systems, Inc. against BellSouth Telecommunications, Inc.

**Issue 1:** Should the Commission grant the Joint Motion Seeking Approval of Stipulation?

**Recommendation:** Yes. Staff recommends that the Commission grant the Joint Motion, thereby approving the Stipulation set forth in Attachment A of staff's October 20, 2005 memorandum.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in majority column]*

*[Empty lines for dissenting signatures]*

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER - DATE

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**Issue 2:** Should these dockets be closed?

**Recommendation:** No. 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, the order will become final upon the issuance of a consummating order. However, these dockets should remain open pending resolution of the unresolved issues in this case. If the parties fail to resolve the issues that remain, staff will bring this matter back before the Commission for resolution.

**APPROVED**