

VOTE SHEET

February 13, 2007

Docket No. 060684-TP – Complaint and petition for declaratory relief against BellSouth Telecommunications, Inc. for refusal to provide telephone service to a new development, by Litestream Holdings, LLC.

Issue 1: Should the petition for declaratory relief be granted?

Recommendation: No. The Petition should be dismissed without prejudice to sufficiently plead standing.

DEFERRED

Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open pending the filing of a petition that sufficiently alleges standing as discussed in Issue 1. If Litestream fails to file an amended petition within 30 days of the date of the Order, this docket should be closed administratively.

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

01467 FEB 14 5