

VOTE SHEET

March 16, 2010

Docket No. 090480-TX – Compliance investigation of Clective Telecom Florida, LLC for apparent failure to accurately disclose information on application.

Docket No. 090246-TP – Notice of adoption of existing interconnection agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and Cbeyond Communications, LLC by Clective Telecom Florida, LLC.

Issue 1: Should the Commission accept Clective Telecom Florida, LLC's offer to voluntarily forfeit, with prejudice, CLEC Certificate No. 8736, effective December 31, 2009, to resolve the company's apparent failure to accurately disclose information in Docket No. 080545-TX, In re: Application for certificate to provide competitive local exchange telecommunications service by Clective Telecom Florida, LLC?

Recommendation: Yes, the Commission should accept Clective Telecom Florida, LLC's offer to voluntarily forfeit, with prejudice, CLEC Certificate No. 8736, effective December 31, 2009, to resolve the company's apparent failure to accurately disclose information in Docket No. 080545-TX, In re: Application for certificate to provide competitive local exchange telecommunications service by Clective Telecom Florida, LLC.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners on a set of four horizontal lines.

Four horizontal lines for dissenting signatures, currently blank.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

01858 MAR 17 2010

FPSC-COMMISSION CLERK

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Issue 2: Should these dockets be closed?

Recommendation: If the Commission approves staff's recommendation in Issues 1 and 2, and 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 should become final and Docket Nos. 090480-TX and 090246-TP should be closed upon issuance of a Consummating Order. If the Commission's decision in Issue 1 results in action other than the cancellation of Clective's CLEC Certificate No. 8736, then Docket No 090480-TX should be closed upon issuance of a Consummating Order and Docket No. 090246-TP should remain open pending further action.

APPROVED