

VOTE SHEET

DATE: June 21, 1994

RE: DOCKET NO. 921074-TP - Petition for expanded interconnection for alternate access vendors within local exchange company central offices by INTERMEDIA COMMUNICATIONS OF FLORIDA, INC.

Issue 1: Recommendation that the Commission grant Southern Bell's Motion to Strike Time Warner's Response to Florida Cable Television Association, Inc.'s (FCTA) Motion for Reconsideration of Order Nos. PSC-94-0285-POP-TP (CL JN LA).

**DEFERRED**

Issue 2: Recommendation that the Commission deny GTEFL's petition for a stay of mandatory collocation pending the outcome of the federal appeal of the Federal Communication Commission's decision regarding the taking issue. The Commission has already decided to consider the Phase I tariffs in Phase II of this docket, which effectively stays implementation of the service. In addition, a stay is not warranted pending the outcome of the federal appeal, because the Commission was aware of the appeal when in decided the case in the first instance. Further, it would be inappropriate to grant a stay simply on speculation of the outcome of a federal appeal.

COMMISSIONERS ASSIGNED: CL JN

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

PSC/RAR33 (5/90) *Staff to advise*

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**Issue 3:** Recommendation that the Commission not reconsider its decision which required LECs to extend expanded interconnection under tariff to the DSO level. Also, Southern Bell should file appropriate tariff provisions regarding interconnection at the DSO level, as required by Order No. PSC-94-0285-FOF-TP, within 15 days from the date of this agenda.

**Issue 4:** Recommendation that the Commission deny Intermedia's request for clarification to extend the fresh look period from 90 days to 180 days.

**Issue 5:** Recommendation that the Commission not approve Southern Bell's request for clarification that the fresh look policy applies only to special access and not private line services. However, the Commission should clarify the ordering paragraph to state:

ORDERED that the tariffs shall contain a fresh look provision consistent with the fresh look policy adopted by the FCC. Specifically, customers with LEC special access and private line services with terms equal to, or greater than, three years, entered into on, or before, February 1, 1994, shall be permitted to switch to competitive alternatives during the 90 day period after expanded interconnection arrangements are available in a given CO...

Also, Southern Bell should file appropriate tariff provisions regarding the fresh look policy, as required by Order No. PSC-94-0285-FOF-TP, within 15 days from the date of this agenda.

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**Issue 6:** Recommendation that the Commission deny FCTA's Motion for Reconsideration/Clarification on both procedural and substantive grounds.

**Issue 7:** Recommendation that the Commission not reconsider its decision to require that mandatory collocation be implemented in a checkerboard pattern to provide for expansion of collocated facilities. Also, Southern Bell should file appropriate tariff provisions regarding the checkerboard type arrangement, as required by Order No. PSC-94-0285-FOF-TP, within 15 days from the date of this agenda.

**Issue 8:** Recommendation that the Commission reconsider a portion of its decision regarding the warehousing of space. Staff recommends that the time period in which the interconnector must use its space should be at least six months instead of at least sixty days.

**Issue 9:** Recommendation that the Commission deny Southern Bell's Motion for Stay of Order No. PSC-94-0285-FOF-TP. This motion is moot.

**Issue 10:** Recommendation that this docket remain open because Phase II is pending.