

VOTE SHEET

OCTOBER 21, 1997

RE: DOCKET NO. **970841-TP** - Complaint by MCI Telecommunications Corporation against GTE Florida Incorporated regarding anti-competitive practices related to excessive intrastate switched access pricing. (Deferred from the October 7, 1997 Commission Conference)

Issue 1: Should the Commission grant GTE Florida Incorporated's Motion to Dismiss the complaint of MCI Telecommunications Corporation?

Recommendation: Yes. MCI's complaint seeks relief that is beyond the Commission's jurisdiction to provide in this case, as set forth in Section 364.163, Florida Statutes. Thus, MCI has failed to state a cause of action upon which relief can be granted.

APPROVED

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission accepts staff's recommendation in Issue 1 to grant GTEFL's motion to dismiss MCI's complaint, this docket should be closed.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures of majority commissioners]

[Handwritten signatures of dissenting commissioners]

REMARKS/DISSENTING COMMENTS: Commissioners Deason and Kiesling dissented. Commissioner Clark participated via telephone and voted to approve the recommendation.

DOCUMENT NUMBER-DATE
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