

VOTE SHEET

JANUARY 5, 1999

RE: DOCKET NO. 980128-TL - Consideration of Sprint-Florida, Incorporated's failure to provide additional telephone service to Upper Captiva Island, as required by Sections 364.025(1) and 364.15, Florida Statutes.

Issue 1: Should the Commission take further action against Sprint-Florida, Incorporated for apparent violations of Sections 364.025 (1) and 364.15, Florida Statutes, through its failure to provide additional telephone service to Upper Captiva Island?

Recommendation: No. While Sprint has been unable since late 1997 to provide additional telephone service to Upper Captiva Island per Section 364.025(1), Florida Statutes, it has made reasonable and sufficient efforts to comply. Sprint's inability to provide additional, new primary service within a reasonable time period was due primarily to unusual circumstances beyond its control: its inability to remove the submarine load coils to provide additional feeder relief, the revocation of the state right-of way for buried cable, the rezoning of its Fire District easement to prohibit tower construction, its inability to acquire an alternate tower site, and significant resident opposition to the proposed tower heights and locations.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

00201 JAN-6 89

FPSC-RECORDS/REPORTING

NOTE SHEET

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Issue 2: Should this docket be closed?

Recommendation: This docket should be closed if no person whose interests are substantially affected by the proposed action files a protest within the 21-day protest period.

APPROVED