

VOTE SHEET

FEBRUARY 2, 1999

RE: DOCKET NO. 990043-TP - Petition to review and to cancel BellSouth Telecommunications, Inc.'s promotional tariff (T-98-1783) by Arrow Communications, Inc.

~~Issue 1: What criteria should the Commission apply to determine that a tariff filed pursuant to the provisions of Section 364.051, Florida Statutes, will cause irreparable harm if implemented prior to completion of a proceeding to determine its validity?~~

~~Recommendation: The Commission should consider whether a petition to invalidate the tariff demonstrates that the alleged anticompetitive or discriminatory effect of the tariff will cause significant harm that cannot be adequately redressed if the tariff is ultimately determined to be invalid. Such irreparable harm includes financial or economic harm to telecommunications providers, significant harm to market image or goodwill, or significant discrimination against similarly situated customers.~~

yes. Arrow's

Issue 1: Should BellSouth's three-free tariff promotion be suspended pending resolution of the petition filed by Arrow Communications Inc.?

MODIFIED *as stated above.*

Commissioners Clark and Deason dissented.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures for majority]

[Handwritten signatures for dissenting: J. Terry Deason, Susan T. Clark]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE
01490 FEB-5 99
FPSC-RECORDS/REPORTING

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DOCKET NO. 990043-TP - Petition to review and to cancel BellSouth Telecommunications, Inc.'s promotional tariff (98-1783) by Arrow Communications, Inc.

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Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open, pending resolution of this petition.

APPROVED