

VOTE SHEET

MARCH 16, 1999

RE: DOCKET NO. 981854-TP - Request for arbitration concerning complaint of Intermedia Communications, Inc., and petition for emergency relief against GTE Florida Incorporated regarding request for physical collocation in specific central offices.

Issue 1: Should the Commission grant GTEFL's Motion to Dismiss?
Recommendation: Yes. Intermedia has failed to state a cause of action upon which the Commission can grant relief at this time. The parties' agreement clearly requires that the parties submit to alternative dispute resolution prior to filing a complaint for breach of the parties' interconnection agreement. The parties have not entered into alternative dispute resolution regarding this matter.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in the MAJORITY column]

REMARKS/DISSENTING COMMENTS:

[Handwritten notes in the REMARKS/DISSENTING COMMENTS section]

DOCUMENT NUMBER-DATE

03407 MAR 17 2

FPSC-RECORDS/REPORTING

VOTE SHEET

MARCH 16, 1999

DOCKET NO. 981854-TP - Request for arbitration concerning complaint of Intermedia Communications, Inc., and petition for emergency relief against GTE Florida Incorporated regarding request for physical collocation in specific central offices.

(Continued from previous page)

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, no other issues will remain for the Commission to address in this docket. This docket should, therefore, be closed.

APPROVED