

VOTE SHEET

APRIL 20, 1999

RE: DOCKET NO. 981052-TP - Petition by Telephone Company of Central Florida, Inc. for resolution of items under dispute in resale agreement with BellSouth Telecommunications, Inc.

Complaint Issue:

Issue 1: Has BellSouth provided TCCF with ESSX® service in compliance with the parties' resale agreement for periods of time not covered by settlements and adjustments made regarding ESSX®? If not, what action, if any, should the Commission take?

Recommendation: No. Staff recommends that the Commission order BST to fulfill all requests for installation of ESSX service placed after March 14, 1997, which are associated with the original May 29, 1996 order placed by TCCF, and that the service be provided for the full 73 months from the day the service is implemented.

APPROVED

COMMISSIONERS ASSIGNED: CL JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signature: Susan J. Clark]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

05063 APR 21 89

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Arbitration Issues:

Issue 1: Arbitration Issue 1 will be the subject of a recommendation at the May 4, 1999, Agenda Conference.

APPROVED

Issue 2: Should ESSX service be made available for resale in the new agreement?

Recommendation: Yes. Grandfathered ESSX service should be made available for resale in the new resale agreement to grandfathered ESSX end-user customers (existing customers). Grandfathered ESSX service should not be made available for resale in the new agreement to end-user customers that do not currently have ESSX (new customers). In addition, staff recommends that the Commission encourage the parties to negotiate a "term and volume contract" to allow TCCF to resell MultiServ at or as close to the price points of ESSX and report back to the Commission in 90 days from the issuance of this order. This arrangement should be available for resale by other ALECs.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: No. This docket should remain open to allow staff to address Arbitration Issue 1 which will be the subject of a recommendation at the May 4, 1999, Agenda Conference.

APPROVED