

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 5, 1999

RE: DOCKET NO. 980520-TP - Complaint by Capital Services of South Florida, Inc. against Intermedia Communications, Inc. regarding failure to comply with contract for telecommunications services.

Issue 1: Should the Commission, on its own motion, dismiss the complaint of Capital Services of South Florida, Inc., for lack of jurisdiction?

Recommendation: Yes. The Commission, on its own motion, should dismiss the complaint of Capital Services of South Florida, Inc., alleging violations of their resale agreement with Intermedia Communications, Inc.

APPROVED

Complaint dismissed without prejudice

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures in majority column]

REMARKS/DISSENTING COMMENTS:

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Issue 2: Should Intermedia Communications Inc.'s Motion to Abate or in the Alternative Stay be granted?

Recommendation: No. If the recommendation in Issue 1 is approved, the motion would be moot and the case closed. In the event the Commission does not on its own motion dismiss the Complaint, the recommendation to this issue would be to grant the Motion to Abate.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation on Issue 1, this docket should be closed. If, however, the Commission does not approve staff's recommendation in Issue 2, this docket should remain open pending final disposition of the court cases.

APPROVED