

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 5, 1999

RE: DOCKET NO. 990970-TP - Joint complaint by Association for Local Telecommunications Services, Commercial Internet Exchange Association, Competitive Telecommunication Association, ACSI Local Services, Inc. d/b/a e.spire Communications, Inc., Florida Competitive Carriers Association, Florida Internet Service Providers Association, and Telecommunications Resellers Association against BellSouth Telecommunications, Inc. regarding promotional practices and petition for expedited relief.

Issue 1: Should the Petitioners' Motion for Extension of Time to Respond to BellSouth's Motion to Dismiss be granted?

Recommendation: Yes. The extension of time does not appear to be unduly burdensome to BellSouth and will not interfere with any deadlines currently established for this Docket.

DEFERRED

COMMISSIONERS ASSIGNED: DS CL JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

*To the November 16, 1999
Commission Conference*

DOCUMENT NUMBER-DATE
12100 OCT-6 99
FPSC-RECORDS/REPORTING

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Issue 2: Should BellSouth's Motion to Dismiss, or in the Alternative, Motion to Strike the Petition, or for Summary Judgment, be granted?

Recommendation: Yes. BellSouth's Motion to Dismiss should be granted. The Petitioners have failed to state a cause of action upon which relief can be granted.

Issue 3: Should this Docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 2, this Docket should be closed.