

VOTE SHEET

APRIL 4, 2000

RE: DOCKET NO. 991619-TP - Request for arbitration concerning complaint of KMC Telecom Inc. and KMC Telecom II, Inc. against BellSouth Telecommunications, Inc. regarding breach of interconnection agreement, and request for expedited relief.

Issue 1: Should the Commission acknowledge KMC's Notice of Withdrawal of Complaint of KMC Telecom Inc. and KMC Telecom II Against BellSouth Telecommunications, Inc. for Breach of Interconnection Agreement and Request for Expedited Relief?

Recommendation: Yes. Staff recommends that the Commission acknowledge KMC's Notice of Withdrawal of Complaint of KMC Telecom Inc. and KMC Telecom II Against BellSouth Telecommunications, Inc. for Breach of Interconnection Agreement and Request for Expedited Relief. Staff further recommends that no further action be taken on KMC's Motion to Include Issues because the issues raised in the motion are moot due to KMC's withdrawal of its Complaint.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures: L.A. Jabe, Susan J. Clark, J. J. ...]*

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REMARKS/DISSENTING COMMENTS:

Commissioner Clark participated in the conference via telephone. She agreed with/ dissented from the majority vote and will sign the vote sheet upon return to Tallahassee.

DOCUMENT NUMBER-DATE

04192 APR-58

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Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation on Issue 1 to acknowledge KMC's withdrawal of its Complaint filed in this docket, KMC's Motion to Include Issues will be rendered moot. As such, no further action will remain for the Commission to take. Therefore, this docket may be closed.

**APPROVED**