

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

APRIL 23, 2002

RE: Docket No. 020129-TP - Joint petition of US LEC of Florida, Inc., Time Warner Telecom of Florida, L.P., and ITC^DeltaCom Communications objecting to and requesting suspension of proposed CCS7 Access Arrangement tariff filed by BellSouth Telecommunications, Inc.

ISSUE 1: Should the Commission grant the Joint Petition of US LEC of Florida, Inc., Time Warner Telecom of Florida, L.P., and ITC^DeltaCom Communications requesting suspension of proposed CCS7 Access Arrangement Tariff filed by BellSouth Telecommunications, Inc. and requesting a formal administrative hearing at this time?

RECOMMENDATION: No. Staff recommends that the Commission deny the Joint Petition of US LEC of Florida, Inc., Time Warner Telecom of Florida, L.P., and ITC^DeltaCom Communications requesting suspension of the proposed CCS7 Access Arrangement Tariff filed by BellSouth Telecommunications, Inc. and requesting a formal administrative hearing. Staff believes that the CCS7 Access Arrangement Tariff filed by BellSouth Telecommunications, Inc., violates the price cap provisions of Section 364.163, Florida Statutes, and

DEFERRED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE
04460 APR 23 8
FPSC-COMMISSION CLERK

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is therefore invalid as filed. Consequently, the Commission should order that tariff filing T-02-0063 be canceled. If staff's recommendation is approved, a formal administrative hearing is not required on the matter at this time.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: If no person whose substantial interests are affected files a protest within 21 days of the issuance date of the Order, the Order will become final upon the issuance of a Consummating Order, and the Docket should be closed. If a timely protest is filed, the Docket should remain open, and the tariff should remain in effect with any net increase in revenues collected in accordance with the tariff held subject to refund pending the outcome of further proceedings. Any net increase in revenues should be calculated on a customer-specific basis.