

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

DECEMBER 17, 2002

RE: Docket No. 021056-TI - Complaint of Timothy McGibbons against AT&T Communications of the Southern States, LLC d/b/a Lucky Dog Phone Co. d/b/a ACC Business d/b/a SmarTalk d/b/a Unispeaksm Service d/b/a www.prepaidserviceguide.com d/b/a CONQUEST for alleged improper billing of international toll charges incurred via Internet use. (Deferred from December 2, 2002 conference.)

ISSUE 1: Should the Commission dismiss Complaint No. 368480T, Complaint of Timothy McGibbons against AT&T for alleged improper billing of international toll charges incurred for Internet use?

RECOMMENDATION: Yes. Complaint No. 368480T, Complaint of Timothy McGibbons against AT&T for alleged improper billing of international toll charges incurred for Internet use, should be dismissed for lack of standing by the complainant and lack of subject matter jurisdiction.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures of majority commissioners]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER - DATE

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: If the Commission approves staff's recommendation on Issue 1, then this docket should be closed.

APPROVED