

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JULY 15, 2003

RE: Docket No. 030346-TP - Petition for declaratory statement that NPCR, Inc. d/b/a Nextel Partners, commercial mobile radio service provider in Florida, is not subject to jurisdiction of Florida Public Service Commission for purposes of designation as "eligible telecommunications carrier."

Docket No. 030413-TP - Petition for declaratory statement that ALLTEL Communications, Inc., commercial mobile radio service provider in Florida, is not subject to jurisdiction of Florida Public Service Commission for purposes of designation as "eligible telecommunications carrier."

ISSUE 1: Should the Commission issue a declaratory statement?

RECOMMENDATION: Yes. The petitions satisfy the threshold requirements for a declaratory statement.

DEFERRED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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ISSUE 2: Should the Commission issue a declaratory statement that Nextel and ALLTEL are not subject to the jurisdiction of the Commission for purposes of determining eligibility for Eligible Telecommunications Carrier ("ETC") status pursuant to 47 U.S.C. § 214(e)?

PRIMARY RECOMMENDATION: Yes.

ALTERNATIVE RECOMMENDATION: No. The Commission should issue a declaratory statement that it has the authority to determine the eligibility of Nextel and ALLTEL for Eligible Telecommunications Carrier ("ETC") status pursuant to 47 U.S.C. s. 214(e).

ISSUE 3: Should these dockets be closed?

RECOMMENDATION: Yes. If the Commission votes to dispose of the petition for declaratory statement, these dockets should be closed.