

VOTE SHEET

AUGUST 5, 2003

RE: Docket No. 030349-TP - Complaint by Supra Telecommunications and Information Systems, Inc. against BellSouth Telecommunications, Inc. regarding BellSouth's alleged use of carrier to carrier information.

ISSUE 1: Should the Commission grant BellSouth's Partial Motion to Dismiss Supra's Amended Petition?

RECOMMENDATION: The Commission should grant in part, and deny in part, BellSouth Telecommunications, Inc.'s (BellSouth) Partial Motion to Dismiss. To the extent that Supra asks the Commission to remedy BellSouth's alleged violations of 47 U.S.C. Section 222(b), the motion should be granted. However, to the extent that Supra's petition asks the Commission to impose applicable penalties for any anti-competitive impacts resulting from alleged violations of that provision, the Partial Motion to Dismiss should be denied.

No ruling was made on the Motion to Dismiss. At the conclusion of the hearing the parties will have an opportunity to brief the Commission on this issue.

COMMISSIONERS ASSIGNED: Deason, Bradley, Davidson

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Charles M. Deason
James W. Davidson
Rudy Bradley

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

07115 AUG-5 8

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ISSUE 2: Should Docket No. 030349-TP be closed?

RECOMMENDATION: No. If staff's recommendation in Issue 1 is approved, Docket No. 030349-TP should remain open pending final disposition by the Commission.

NO VOTE