

VOTE SHEET

APRIL 20, 2004

RE: Docket No. 040167-TP - Proposed adoption of Rules 25-4.082, F.A.C., Number Portability, and 25-4.083, F.A.C., Preferred Carrier Freeze; and proposed amendment of Rules 25-4.003, F.A.C., Definitions; 25-24.490, F.A.C., Customer Relations; Rules Incorporated; and 25-24.845, F.A.C., Customer Relations; Rules Incorporated. (Deferred from March 30, 2004 conference.)

Issue 1: Should the Commission propose the adoption of Rules 25-4.082, F.A.C., Number Portability, and 25-4.083, F.A.C., Preferred Carrier Freeze, and the amendment of Rules 25-4.003, F.A.C., Definitions, 25-24.490, F.A.C., Customer Relations; Rules Incorporated, and 25-24.845, F.A.C., Customer Relations; Rules Incorporated?

Recommendation: Yes. The Commission should propose the adoption of Rules 25-4.082 and 25-4.083, and the amendment of Rules 25-4.003, 25-24.490, and 25-24.845, F.A.C., as set forth in Attachment A of staff's March 18, 2004 memorandum.

MODIFIED

Approved with the following modifications:

- Rule 25-4.003: delete subsection (53);
- Rule 25-4.082: adopt proposed changes in the handout from Sprint (see attached language);
- Rule 25-4.083: delete lines 2, 3 and 4; add "or removed" after the word "imposed" on line 5; add "an existing or a potential new subscriber who expresses" after the word "informing" on line 20; delete "contacts the local provider with" on line 21, page 21;
- Rule 25-24.490: allow staff to change the wordings of "port/protection/portability" to "transfer/transferring/transferrability" where appropriate; Subsection (4) is modified as discussed at agenda.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

[Handwritten signatures: Jerry Jones, Rudy Bradley, Mark M. ...]

REMARKS/DISSENTING COMMENTS:

* Commissioner Taker dissented on this portion of the rule only.

DOCUMENT NUMBER-DATE

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Issue 2: Should this docket be closed?

Recommendation: Yes. If no request for hearing or comments are filed, the rules as proposed should be filed for adoption with the Secretary of State and the docket should be closed.

APPROVED

Approved with modification which is to enclose a cover letter to carriers with highlights of rule and effective date.

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25-4.003 Definitions.

Delete definition of "temporary disconnect" (i.e., no changes to Rule 25-4.003)

25-4.082 Number Portability.

(1) The serving local provider shall facilitate porting of the subscriber's telephone number upon request for the acquiring company.

(2) A working number ~~or a number in Temporary Disconnect status~~ shall be ported regardless of whether a balance is owed.

(3) A local provider shall not disconnect a subscriber's working number, regardless of whether a balance is owed, ~~or, beginning six months after the effective date of this rule, block porting of a number in Temporary Disconnect status~~ after receiving a local service request from another local provider.

Specific Authority: 350.127, F.S.

Law Implemented: 364.16, 364.337, F.S.

History: New XX-XX-XX.

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.