

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MAY 3, 2004

RE: Docket No. 000121A-TP - Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies. (BELLSOUTH TRACK) (Deferred from February 17, 2004 conference; revised recommendation filed.)

Issue 1: Should the CLEC Coalition's Motion to Strike BellSouth's Amended Motion to Modify SEEM Plan be granted?

Recommendation: No. The CLEC Coalition's Motion to Strike BellSouth's Amended Motion to Modify SEEM Plan should be denied.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of commissioners in the majority column.

Blank lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

Commissioner Davidson participated in the conference by telephone. He agreed with the majority vote and will sign the vote sheet upon return to the office.

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Issue 2: Should BellSouth's Amended Motion to Modify SEEM Plan to remove penalties relating to line sharing and Request to Offset or Escrow Penalty Payments be granted?

Recommendation: No. BellSouth's Motion to Modify SEEM Plan to remove penalties relating to line sharing and Request to Offset or Escrow Penalty Payments should be denied.

MODIFIED

moved, approved with clarification that it is recognized the law is subject to change because of pending FCC and court matters.

Issue 3: Should this docket be closed?

Recommendation: No. If the Commission approves staff's recommendation in Issue 2, the resulting Order will be issued as Proposed Agency Action. The Order will become final upon issuance of a Consummating Order if no person whose substantial interests are affected timely files a protest within 21 days of the issuance of the Order. This Docket should remain open thereafter to continue the six-month review process outlined in the Final Order.

APPROVED