

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JUNE 29, 2004

RE: Docket No. 031038-TL - Petition for approval to revise customer contact protocol by BellSouth Telecommunications, Inc.

Issue 1: Should the Commission grant BellSouth Telecommunications, Inc.'s Motion to Strike Americatel Corporation's Reply to BellSouth's Response to Americatel's Petition protesting Order No. PSC-04-0115-PAA-TL?

Recommendation: Yes. The Commission should grant BellSouth Telecommunications, Inc.'s Motion to Strike Americatel Corporation's Reply, because the Uniform Rules of Procedure do not expressly authorize replies.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners: Charles M. Darr, Mark P. ... (illegible), J. ... (illegible), and Nedy ... (illegible).

Four horizontal lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

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Issue 2: Should the Commission dismiss Americatel Corporation's Petition for the Initiation of Proceedings on its own motion for failure to state a cause of action upon which relief could be granted?

Recommendation: Yes. Taking all of the petitioner's allegations as true, Americatel has failed to sufficiently state a cause of action upon which relief could be granted. The Petition should, therefore, be dismissed, and Order Nos. PSC-04-0115-PAA-TL and PSC-04-0115A-PAA-TL should be made final and effective as of the date of the Commission's decision at the Agenda Conference.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 2, then no other issues will remain for the Commission to address in this docket. This docket should, therefore, be closed.

APPROVED