

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

OCTOBER 19, 2004

RE: Docket No. 040343-TP - Petition by Volo Communications of Florida, Inc. d/b/a Volo Communications Group of Florida, Inc. for adoption of existing interconnection agreement between ALLTEL Florida, Inc. and Level 3 Communications, LLC. (Deferred from September 21, 2004 conference.)

Issue 1: Should the Commission grant ALLTEL's Motion to Dismiss Volo's Notice of Adoption?

Recommendation: No. Staff recommends that ALLTEL's Motion to Dismiss be denied. Because the parties are, however, currently negotiating a new agreement, staff recommends that proceedings in this matter be held in abeyance for a period of sixty (60) days. Thereafter, if negotiations are not successful, this matter should be set for hearing.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Charles M. Dade

Paula...

James...

Ruby...

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

11238 OCT 19 04

FPSC-COMMISSION CLERK

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Issue 2: Should this Docket be closed?

Recommendation: No. If the Commission approves staff's recommendation in Issue 1, this Docket should be held open pending further proceedings.

APPROVED