

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JANUARY 4, 2005

RE: Docket No. 041211-TP - Petition for declaratory statement by Smart City Telecommunications LLC d/b/a Smart City Telecom to determine application of term "subscriber" or "customer" as contemplated by Rule 25-4.003(50), F.A.C.

Issue 1: Should the Commission grant Smart City's Petition for Declaratory Statement and provide a determination as to whether Mr. Keith Kropp or Main Street Realtors was the original subscriber or customer of the Smart City account at issue pursuant to Rule 25-4.003(50), Florida Administrative Code?

Recommendation: Yes. The Commission should grant Smart City's petition and declare that, based on the facts as set forth in Smart City's petition, Main Street Realtors was the original subscriber or customer of the Smart City account.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Liz Edger
Muffy Bradley
Martin
J. Terry
Chuck M. Drost

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

00113 JAN -4 05

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Issue 2: Should this docket be closed?

Recommendation: Yes. No further action is required; therefore, this docket should be closed.