

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

JULY 19, 2005

RE: Docket No. 041338-TP - Joint petition by ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom d/b/a Grapevine; Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch; DIECA Communications, Inc. d/b/a Covad Communications Company; Florida Digital Network, Inc.; LecStar Telecom, Inc.; MCI Communications, Inc.; and Network Telephone Corporation ("Joint CLECs") for generic proceeding to set rates, terms, and conditions for hot cuts and batch hot cuts for UNE-P to UNE-L conversions and for retail to UNE-L conversions in BellSouth Telecommunications, Inc. service area.

Docket No. 040301-TP - Complaint of Supra Telecommunications and Information Systems, Inc. against BellSouth Telecommunications, Inc. (Deferred from June 14, 2005 conference.)

Issue 1: Should the Commission grant FDN Communications' request for oral argument regarding its Motion for Reconsideration of the Order Establishing Procedure, or in the alternative, Motion to Establish True-Up? Recommendation: Yes. Because this matter has not yet been to hearing and the questions presented are somewhat unique, staff recommends that the Commission entertain oral presentations from the parties. The length of such presentations is at the Commission's discretion. Staff recommends that they be limited to 10 minutes per party.

DEFERRED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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Issue 2: Should the Commission grant FDN's Motion for Reconsideration of the Order Establishing Procedure?
Recommendation: No. FDN has not demonstrated that when addressing the procedural schedule in this docket, the Prehearing Officer overlooked a point of fact or law in rendering the Order Establishing Procedure, Order No. PSC-05-0433-PCO-TP, issued April 20, 2005.

Issue 3: Should the Commission grant FDN's Motion to Establish True-Up?

Recommendation: No. Staff recommends that the Commission deny FDN's Motion to Establish True-Up. If the Commission denies staff on Issue 2, this issue becomes moot.

Issue 4: Should these dockets be closed?

Recommendation: No. Whether or not the Commission denies staff on Issues 2 or 3, staff recommends these dockets should remain open pending the resolution of the issues set for hearing.