

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 20, 2005

RE: Docket No. 040763-TP - Request for submission of proposals for relay service, beginning in June 2005, for the hearing and speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991.

Issue 1: Should the Commission require Sprint to pay liquidated damages by crediting the Florida Telecommunications Relay, Inc.'s (FTRI) account \$305,000 (61 days x \$5,000/day) for failure to meet the typing speed requirement of Section B-7(c) of the contract for the period of June 1, 2005, through July 31, 2005?

Recommendation: Yes.

MODIFIED

The Commission will assess liquidated damages in the amount of \$100,000 immediately, with recognition of the additional \$205,000 originally recommend by staff. Staff will continue to monitor Sprint's performance under the terms of the contract with the understanding that ^{a finding of} non-compliance will result in the assessment of liquidate damages of no less than \$205,000 and possibly a higher amount.

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Wade Bradley

Markus

J. Terry

Isis Edgar

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DAT

08873 SEP 20 05

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Issue 2: Should the Commission approve Mr. Brian Musselwhite from AT&T to replace Mr. Chris McDonald formerly of AT&T as a TASA Advisory Committee member effective immediately?

Recommendation: Yes.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: No. This docket should not be closed.

APPROVED