

VOTE SHEET

February 28, 2006

Docket No. 041269-TP – Petition to establish generic docket to consider amendments to interconnection agreements resulting from changes in law, by BellSouth Telecommunications, Inc.

Issue 1: Should the Commission, on its own motion, vacate its decision on Issues 5, 13, 16-18, and 22(b), and direct staff to assign new staff members to review the existing record and prepare a new recommendation on those issues for the Commission’s de novo consideration?

Recommendation: Yes. Staff recommends, in an abundance of caution and to promote public confidence in the impartiality of its consideration of issues 5, 13, 16-18, and 22(b), that the Commission should vacate its decision on Issues 5, 13, 16-18, and 22(b), and direct that new staff members be assigned to review the existing record and prepare a new recommendation on these issues for the Commission’s de novo consideration.

APPROVED

COMMISSIONERS ASSIGNED: Edgar, Deason, Arriaga

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners: J. Arriaga, Lisa Edgar, and J. Terry Deason.

Blank lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

01712 FEB 28 06

FPSC-COMMISSION CLERK

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Issue 2: Should the Commission issue a Final Order on the non-vacated issues?

Recommendation: ~~Yes. If the Commission approves staff's recommendation in Issue 1, the Commission should direct that a Final Order on the non-vacated issues be issued immediately. In light of the March 11, 2006 deadline, staff recommends further that the Commission require the filing of interconnection agreements and amendments compliant with the Commission's decisions on the non-vacated issues or the result of negotiation by March 2, 2006, for approval by the Commission.~~

~~If the Commission denies staff's recommendation on Issue 1, the Commission should direct that a Final Order on all issues be issued immediately and should require the filing of interconnection agreements and amendments compliant with the Commission's decisions or the result of negotiation by March 2, 2006, for approval by the Commission.~~

Yes. The Commission should direct that a Final Order on all non-vacated issues be issued immediately. The Prehearing Officer issued an order on February 21, 2006, requiring the filing of interconnection agreements and amendments compliant with the Commission's decisions on the non-vacated issues by March 10, 2006.

Because it would be impractical for the Commission to grant administrative approval to these agreements before the March 11, 2006 date specified in the TRRO, staff further recommends that the Commission require the agreements and amendments to specify that they will take effect as of March 11, 2006, provided they are ultimately approved by the Commission.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: No. If the Commission approves staff's recommendation in Issue 1, this docket should remain open pending the Commission's consideration of Issues 5, 13, 16-18, and 22(b). Upon resolution of these issues, the Commission should set forth a time frame for the submission of signed amendments addressing these issues for approval by the Commission.

APPROVED