

VOTE SHEET

June 6, 2006

Docket No. 060083-TP – Complaint of Northeast Florida Telephone Company d/b/a NEFCOM against Southeastern Services, Inc. for alleged failure to pay intrastate access charges pursuant to NEFCOM's tariffs, and for alleged violation of Section 364.16(3)(a), F.S.

Issue 1: Should SSI's Motion to Dismiss, or alternative request for abatement of these proceedings, be granted?

Recommendation: No. Staff believes that the Commission has jurisdiction to act and address all of the issues in this case, and that the Amended Complaint is legally sufficient. Accepting all allegations in the Amended Complaint as facially correct, staff recommends that the Amended Complaint does state a cause of action for which relief can be granted. Accordingly, staff recommends that the Motion to Dismiss be denied. Staff also recommends against abating the proceedings in this Docket pending the outcome of any referenced FCC proceedings. The Florida Public Service Commission is under order of the Circuit Court of Baker County in Docket No. 060296-TP to address these issues. For that reason also, this Docket may not be abated.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners on a set of four horizontal lines.

Four horizontal lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

Blank space for remarks or dissenting comments.

DOCUMENT NUMBER-DATE

04843 JUN-6 8

FPSC-COMMISSION CLERK

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Issue 2: Should Docket No. 060296-TP be consolidated with this Docket for resolution with a single hearing?

Recommendation: Yes. The parties are the same in both dockets and the ultimate issues to be determined are the same. In the interest of Judicial economy and elimination of redundancy the two dockets should be consolidated.

APPROVED

Issue 3: Should this docket be closed?

Recommendation: No. The docket should remain open pending resolution of the issues therein.

APPROVED