

VOTE SHEET

June 20, 2006

Docket No. 000121A-TP – Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies. (BELLSOUTH TRACK)

Issue 1: Should BellSouth be required to pay penalties for noncompliance with performance measures where the performance standard is parity with analogous retail services (retail analogs) during a claim of force majeure?

Recommendation: Yes. Staff believes that Section 4.5.2 of BellSouth’s SEEM Administrative Plan should be revised to hold BellSouth accountable for paying penalties during a force majeure event for noncompliance with retail analog performance measures. Staff’s recommended revisions to BellSouth’s force majeure provision is found in Attachment A to its June 8, 2006 memorandum.

DENIED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Katrina G. Jew

[Signature]

Lisa Edge

[Signature]

[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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(Continued from previous page)

Issue 2: Should this docket be closed?

Recommendation: No. If the Commission approves staff's recommendation in Issue 1, the resulting Order will be issued as Proposed Agency Action. The Order will become final upon issuance of a Consummating Order if no person whose substantial interests are affected timely files a protest within 21 days of the issuance of the Order. This Docket should remain open thereafter to continue the review process as adopted in the BellSouth's Performance Assessment Plan.

APPROVED