

VOTE SHEET

August 15, 2006

SCANNED

Docket No. 060308-TP – Joint application for approval of indirect transfer of control of telecommunications facilities resulting from agreement and plan of merger between AT&T Inc. (parent company of AT&T Communications of the Southern States, LLC, CLEC Cert. No. 4037, IXC Registration No. TJ615, and PATS Cert. No. 8019; TCG South Florida, IXC Registration No. TI327 and CLEC Cert. No. 3519; SBC Long Distance, LLC, CLEC Cert. No. 8452, and IXC Registration No. TI684; and SNET America, Inc., IXC Registration No. TI389) and BellSouth Corporation (parent company of BellSouth Telecommunications, Inc., ILEC Cert. No. 8 and CLEC Cert. No. 4455); and BellSouth Long Distance, Inc. (CLEC Cert. No. 5261 and IXC Registration No. TI554).

Issue 1: Are the filings by Joint CLECs and Time Warner a valid protest of proposed agency action under Rule 28-106.201, Florida Administrative Code?

Recommendation: No. The protests and subsequent filings fail to demonstrate standing because they do not show that the alleged injury is of sufficient immediacy to confer standing and they do not demonstrate Joint CLECs or Time Warner have suffered a type of injury that the underlying transfer of control proceeding is designed to protect.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of Katrina G. Jew, Jim Edg, and J. Terry Dean on the majority lines.

Empty lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

07317 AUG 15 06

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Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, all outstanding Petitions to Intervene in this proceeding will be rendered moot. Consequently, no other issues will remain for the Commission to address in this docket.

APPROVED