

VOTE SHEET

September 19, 2006

Docket No. 060553-TL – Investigation and determination of appropriate method for issuing Service Guarantee Credits to all affected customers of Embarq Florida, Inc.

Issue 1: Should the Commission accept Embarq Florida, Inc.'s proposal to issue credits as required by Embarq Florida, Inc.'s Service Guarantee Program, to all affected customers in the amount of \$46,950, plus interest of \$2,130.16, for a total of \$49,080.16, for missed commitments for installation of primary service?

Recommendation: Yes. The Commission should accept Embarq Florida, Inc.'s proposal to issue credits, as required by Embarq Florida, Inc.'s Service Guarantee Program, to all affected customers in the amount of \$46,950, plus interest of \$2,130.16, for a total of \$49,080.16, for missed commitments for installation of primary service.

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, currently blank.

REMARKS/DISSENTING COMMENTS:

Blank space for remarks or dissenting comments.

DOCUMENT NUMBER-DATE

08589 SEP 19 06

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**Issue 2:** Should this docket be closed?

**Recommendation:** The Order issued from this recommendation will become final and effective upon issuance of a Consummating Order, unless a person whose substantial interest are affected by the Commission's decision files a protest that identifies with specificity the issues in dispute, in the form provided by Rule 28-106.201, Florida Administrative Code, within 21 days of the issuance of the Proposed Agency Action Order. As provided by Section 120.80 (13)(b), Florida Statutes, any issues not in dispute should be deemed stipulated. If the Commission's Order is not protested, Embarq shall issue the SGP credits, plus interest, for missed installation commitments no later than 30 days after the issuance of the Consummating Order. If the customer is no longer with Embarq, but has an outstanding final bill, the company will apply the credit plus interest towards the final bill. If the customer is no longer with Embarq and there is no outstanding final bill, the company will mail a check for the credit amount, plus interest, to the last known address on file for the customer. Embarq shall contribute all unclaimed funds to the Community Service Fund. Embarq shall provide the Commission with a final report no later than 90 days after the issuance of the Consummating Order, identifying the total number of customers that actually received the credit, the total amount of money that was actually credited, including interest, the total number of customers who did not receive the credit, and the total amount of unclaimed funds, including interest, that were placed in the Community Service Fund. If staff determines that Embarq has complied with the provisions of the Commission's Order, then this docket will be closed administratively. If Embarq fails to demonstrate that it has complied with the provisions of the Commission's Order, then this docket will remain open pending further action.

**APPROVED**