

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

September 4, 2008

Docket No. 070368-TP – Notice of adoption of existing interconnection agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and Sprint Communications Company Limited Partnership, Sprint Communications Company L.P., Sprint Spectrum L.P., by NPCR, Inc. d/b/a Nextel Partners.

Docket No. 070369-TP – Notice of adoption of existing interconnection agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and Sprint Communications Company Limited Partnership, Sprint Communications Company L.P., Sprint Spectrum L.P., by Nextel South Corp. and Nextel West Corp. (Deferred from the August 19, 2008 Commission Conference.)

Issue 1: Can Nextel as a wireless entity avail itself of 47 U.S.C. Section 252(i) to adopt the Sprint ICA?

Recommendation: Staff recommends that Nextel's adoption of the Sprint ICA should be upheld as valid, pursuant to 47 U.S.C. §252(i) and the FCC's implementing rule, 47 C.F.R. §51.809.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of Katrina J. McPherson and other majority commissioners on a set of four horizontal lines.

Four horizontal lines for dissenting signatures, currently blank.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

08146 SEP-4 08

FPSC-COMMISSION CLERK

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Issue 2A: Does the Commission have jurisdiction over AT&T's FCC Merger Commitments?

Recommendation: If the Commission approves staff's recommendation in Issue 1, this issue is moot because the Commission will have approved the adoption, pursuant to §252(i) without reliance on application of the Merger Commitments.

APPROVED

Issue 2B: If so, do the Merger Commitments allow Nextel to adopt the Sprint ICA?

Recommendation: As discussed in Issue 2A, if the Commission approves staff's recommendation in Issue 1, this issue is moot.

APPROVED

Issue 3: If the answer to Issue 1 or Issue 2B is "yes," what should be the effective date of Nextel's adoption of the Sprint ICA?

Recommendation: If the answer to Issue 1 or Issue 2B is "yes," staff recommends the effective date of Nextel's adoption of the Sprint ICA should be June 8, 2007.

APPROVED

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Issue 4: Should this docket be closed?

Recommendation: If the Commission approves Nextel's adoption of the Sprint ICA in Issue 1 or Issue 2B, Docket Nos. 070368-TP and 070369-TP should remain open pending the filing of the signed adoption between the parties, which should occur no later than 7 days following the Commission's vote. These dockets should be closed administratively upon issuance of a memo by staff acknowledging the Adoption of the Sprint – AT&T Interconnection Agreement.

If the Commission denies Nextel's adoption of the Sprint ICA in Issue 1 and Issue 2B, Docket Nos. 070368-TP and 070369-TP should be closed upon issuance of the Final Order.

APPROVED