

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

September 16, 2008

Docket No. 080308-TP – Complaint against MCI Communications Services, Inc. d/b/a Verizon Business Services for failure to pay intrastate access charges pursuant to Embarq's tariffs, by Embarq Florida, Inc.

Issue 1: Should the Commission grant Verizon's Request for Oral Argument?

Recommendation: Yes. Staff recommends that the Commission grant Verizon's Request for Oral Argument, because staff believes that it might benefit the Commission to hear argument on the Motion to Dismiss. If the Commission grants oral argument, staff recommends allowing five minutes for each party.

DEFERRED

Issue 2: Should the Commission grant Verizon's Motion to Dismiss Embarq's Complaint?

Recommendation: No. Staff recommends that the Commission deny Verizon's Motion to Dismiss, because Embarq's Complaint states a cause of action that is within the Commission's jurisdiction and for which relief may be granted.

DEFERRED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS: Deferred to the October 14, 2008 Commission Conference.

DOCUMENT NUMBER-DATE

08702 SEP 16 8

FPSC-COMMISSION CLERK

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Issue 3: Should this Docket be closed?

Recommendation: No. If the Commission approves staff's recommendation in Issue 2, this Docket should be held open pending further proceedings.

DEFERRED