

VOTE SHEET

December 2, 2008

Docket No. 080529-TP – Joint application for approval of indirect transfer of control of telecommunications facilities by Smart City Finance LLC and Hargray-Smart City Acquisition Co., LLC.

Issue 1: Should the Commission approve the joint application for approval of the indirect transfer of control of Smart City Telecommunications LLC d/b/a Smart City Telecom, holder of ILEC Certificate No. 1971 and PATS Certificate No. 7664, from Smart City Finance LLC to Hargray-Smart City Acquisition Co., LLC, and acknowledge that a waiver of Rule 25-4.118, Florida Administrative Code, is not required?

Recommendation: Yes, the Commission should approve the application for approval of the indirect transfer of control of Smart City Telecommunications LLC d/b/a Smart City Telecom, holder of ILEC Certificate No. 1971 and PATS Certificate No. 7664, from Smart City Finance LLC to Hargray-Smart City Acquisition Co., LLC, and should acknowledge that a waiver of Rule 25-4.118, Florida Administrative Code is not required.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners: Katrina J. McMurrain, Matt J. (JH), and others.

Blank lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS: Commissioner Argenziano participated in the conference by telephone. She will sign the vote sheet upon return to the office.

DOCUMENT NUMBER-DATE

11089 DEC-2 8

FPSC-COMMISSION CLERK

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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 interests 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. If the Commission's Order is not protested, this docket should be closed administratively upon notification by the Applicants that this transfer of control either has or has not been consummated.

APPROVED