

VOTE SHEET

December 1, 2009

Docket No. 090135-TP – Complaint against BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast for anticompetitive behavior in violation of Sections 364.01(4), 364.10(1), and 364.3381, F.S., violating terms of interconnection agreement, and engaging in cramming in violation of Sections 354.604(2), 364.10(1), F.S., and Rule 25-4.110(18), F.A.C., by Cbeyond Communications, LLC.

Issue 1: Should the Commission acknowledge the Cbeyond Notice of Voluntary Dismissal and close the docket?

Recommendation: Yes. The Commission should acknowledge the Cbeyond Notice of Voluntary Dismissal and close the docket.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column: David E. Klement, Neil A. [unclear], [unclear], [unclear], and [unclear].

Four horizontal lines in the dissenting column, all of which are blank.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK