

VOTE SHEET

March 2, 2010

Docket No. 090528-TI – Joint petition for approval to acquire assets, request for expedited approval, and request for waiver of carrier selection requirements of Rule 25-4.118, F.A.C., to allow transfer of a portion of the customer base of Total Call International, Inc. to OPEX Communications, Inc.

Issue 1: Should the Commission approve the request for waiver of the carrier selection requirements of Rule 25-4.118, F.A.C., in the transfer of long distance customers to OPEX Communications, Inc. from Total Call International, Inc.?

Recommendation: Yes, the Commission should approve the request for waiver of the carrier selection requirements of Rule 25-4.118, F.A.C. Any waiver approved by the Commission should only apply to the specific set of customers identified in the petition. The petitioners should be required to provide the Commission notification of the actual date when the transaction is consummated. If for any reason the transaction is not consummated, any waiver approved by the Commission shall be null and void.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of David E. Klement and other majority members on a set of four horizontal lines.

Four horizontal lines for dissenting signatures, all of which are blank.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE
01411 MAR-20
FPSC-COMMISSION CLERK

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Issue 2: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

APPROVED