

VOTE SHEET

May 4, 2010

Docket No. 100174-TP – Request of Matrix Telecom, Inc. for waiver of Rule 25-4.118, FAC, Local, Local Toll or Toll Provider Selection regarding a transaction where Matrix will acquire substantially all of the assets and customers of Comtel Telecom Assets LP, and request for cancellation of Comtel Telecom Assets LP's CLEC Certificates No. 5687, 4695, 4699 and IXC Registration Nos. TK025, TK028, and TK029.

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 local and long distance customers to Matrix Telecom, Inc. from Comtel Telecom Assets LP?

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 majority commissioners on four lines.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

03702 MAY -4 0

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 order should become final upon issuance of a consummating order. This docket should remain open pending the cancellation of Comtel's CLEC Certificates and IXC Registrations. Upon completion of these actions, this docket should be closed administratively.

APPROVED