

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

October 12, 2010

Docket No. 100175-TL – Complaint against AT&T d/b/a BellSouth for alleged violations of various sections of Florida Administrative Code, Florida Statutes, and AT&T regulations pertaining to billing of charges and collection of charges, fees, and taxes.

Docket No. 100312-EI – Complaint against Florida Power & Light Company for alleged violations of various sections of Florida Administrative Code, Florida Statutes, and FPL tariffs pertaining to billing of charges and collection of charges, fees, and taxes.

Issue 1: Should AT&T's Motion to Dismiss be Granted?

Recommendation: Yes. Petitioner's Complaint fails to state a claim upon which this Commission can grant relief. Accordingly, the Complaint should be dismissed with prejudice.

DEFERRED

Issue 2: Should Florida Power & Light Company's Motion to Dismiss be Granted?

Recommendation: Yes. Petitioner's Complaint fails to state a claim upon which this Commission can grant relief. Accordingly, the Complaint should be dismissed with prejudice.

DEFERRED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS: Deferred to the October 26, 2010 Commission Conference.

DOCUMENT NUMBER-DATE

08512 OCT 12 9

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Issue 3: Should these dockets be closed?

Recommendation: If the Commission agrees with staff in Issues 1 and 2, then Petitioner's Complaints should be dismissed with prejudice, and these dockets should be closed.

DEFERRED