

VOTE SHEET

November 27, 2012

**Docket No. 120266-TP** – Proposed amendment of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection, and proposed repeal of Rules 25-4.083, F.A.C., Preferred Carrier Freeze, and 25-24.845, F.A.C., Customer Relations.

**Issue 1:** Should the Commission propose the amendment of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection, and the repeal of Rules 25-4.083, F.A.C., Preferred Carrier Freeze, and 25-24.845, F.A.C., Customer Relations?

**Recommendation:** Yes, the Commission should propose the amendment of Rule 25-4.118, F.A.C., and the repeal of Rules 25-4.083 and 25-24.845, F.A.C., as set forth in Attachment A of staff’s memorandum dated November 13, 2012.

DEFERRED

RECEIVED-FPSC  
12 NOV 27 AM 10:47  
COMMISSION  
CLERK

COMMISSIONERS All Commissioners

ASSIGNED:

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

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**REMARKS/DISSENTING COMMENTS:**

DOCUMENT NUMBER - DATE  
07850 NOV 27 09  
FPSC - COMMISSION CLERK

Vote Sheet

November 27, 2012

Docket No. 120266-TP – Proposed amendment of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection, and proposed repeal of Rules 25-4.083, F.A.C., Preferred Carrier Freeze, and 25-24.845, F.A.C., Customer Relations.

(Continued from previous page)

**Issue 2:** Should this docket be closed?

**Recommendation:** Yes, if no requests for hearing or comments are filed, the amendment of Rule 25-4.118, F.A.C., and the repeal of Rules 25-4.083 and 25-24.845, F.A.C., as proposed, should be filed for adoption with the Secretary of State and the docket should be closed.

DEFERRED

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**Catherine Potts**

120266-TP

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**From:** Matilda Sanders  
**Sent:** Friday, November 16, 2012 4:01 PM  
**To:** CLK - Agenda Staff  
**Subject:** Item 2 & 3 - Request for deferrals to 11/27/12 Commission Conference  
**Attachments:** 07719-12.pdf; 07720-12.pdf

The request for deferrals on the 11/27/12 Commission Conference of Item 2 & 3 to the 12/10/12 Commission Conference has been disseminated to all parties and is attached above for your convience.

Matilda

REQUEST FOR CHANGE TO COMMISSION CONFERENCE  
HAND DELIVER

RECEIVED - FPSC  
12 NOV 16 PM 3:19  
COMMISSION  
CLERK

Date of Request: 11/15/2012 Date of Commission Conference: 11/27/2012 Item No. 3

Docket No.: 120266-TP Brief Title: Preferred carrier freeze rule proposals

Requested by:  Staff  Other Dave Konuch, Fla. Cable Telecomm. Assn.  
(Name)

Please attach a copy of the written documentation filed (IF OTHER)

STAFF's Recommendation to Executive Suite (IF OTHER)  Approve Request  Deny Request

ACTION REQUESTED [see APM 2.11]

- Defer Item to Conference Scheduled for: Date: 12/10/2012
- Change Order of Item or Take Up at Time Certain
- Withdraw Item (not expected to return to Agenda)
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) A copy of the front page of the recommendation must be provided to the Commission Clerk by 12 noon on the regular filing date for use as a place-holder during agenda preparation.
- Add Item to Published Agenda [see Section 120.525(2), F.S.] - Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] - Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

Because of the Thanksgiving holidays and office closures, Mr. Konuch is unable to obtain the consensus of the companies he represents as to whether they agree or have any concerns with the staff recommendation in time for the 11/27 agenda conference. Because the Commission has yet to propose any rule changes, there is no statutory deadline for Commission action. Therefore, staff recommends that the deferral request be granted.

Signature (Technical Staff):

Initials (Division/Office Director or Designee): *DK*

Signature (Legal Staff):

Initials (General Counsel or Designee): *DK*

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office

Approve Request  Deny Request

Initials: *DK*

Date: 11-16-12

Comments:

CHAIRMAN'S OFFICE:

Approve Request  Deny Request

Initials: *DK*

Date: 11/16/12

The Executive Suite will forward the original approved form to the Office of Commission Clerk and send email notification of the approval to the OPR division/office director, Executive Director, Deputy Executive Director-Technical, Deputy Executive Director-Administrative, Docket Manager, General Counsel, Legal Services Director, Customer Assistance and Outreach Director, Commissioners' Aides and Assistants, attorney assigned to the docket, and Clerk's Office Agenda Staff.

DOCUMENT NUMBER 120266-TP  
07720 NOV 16 2012  
FPSC-COMMISSION CLERK

## Rosanne Gervasi

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**From:** David Konuch [dkonuch@fcta.com]  
**Sent:** Thursday, November 15, 2012 2:51 PM  
**To:** Rosanne Gervasi  
**Subject:** RE: Preliminary rules in dockets 120265-TP and 120266-TP

Hi Rosanne,

It states on the recommendation that these dockets "may be deferred."  
Would it be possible to defer these from the November 27, 2012 agenda?  
Because the recommendations became available Friday afternoon, and next week is Thanksgiving, I will not have very much time to analyze the rules and ask my clients for their comments prior to the agenda. Our office is closed next Friday, and plus Thanksgiving next Thursday leaves us with only three business days next week.

Could we defer it to the next agenda after Nov. 27, 2012, which would be December 10, 2012? That would give us plenty of time for review and analysis, without affecting holiday plans.

Please let me know.

Thanks very much,

Dave Konuch

-----Original Message-----

**From:** Rosanne Gervasi [mailto:RGervasi@PSC.STATE.FL.US]  
**Sent:** Tuesday, November 13, 2012 12:37 PM  
**To:** David Konuch  
**Subject:** RE: Preliminary rules in dockets 120265-TP and 120266-TP

Dave, we are in the process of filing rule proposal recommendations on these draft rule changes. The recommendations are attached and the draft rules are attached to the recommendations.  
Rosanne

-----Original Message-----

**From:** David Konuch [mailto:dkonuch@fcta.com]  
**Sent:** Friday, November 09, 2012 4:46 PM  
**To:** Rosanne Gervasi  
**Subject:** Re: Preliminary rules in dockets 120265-TP and 120266-TP

Thanks!

Dave

Sent from my HTC on the Now Network from Sprint!