

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 090538-TP

AMENDED COMPLAINT OF QWEST
COMMUNICATIONS COMPANY, LLC
AGAINST MCIMETRO ACCESS
TRANSMISSION SERVICES (D/B/A
VERIZON ACCESS TRANSMISSION
SERVICES); XO COMMUNICATIONS
SERVICES, INC.; TW TELECOM OF
FLORIDA, L.P.; GRANITE
TELECOMMUNICATIONS, LLC; BROADWING
COMMUNICATIONS, LLC; ACCESS POINT,
INC.; BIRCH COMMUNICATIONS, INC.;
BUDGET PREPAY, INC.; BULLSEYE
TELECOM, INC.; DELTACOM, INC.;
ERNEST COMMUNICATIONS, INC.; FLATEL,
INC.; NAVIGATOR TELECOMMUNICATIONS,
LLC; PAETEC COMMUNICATIONS, INC.;
STS TELECOM, LLC; US LEC OF FLORIDA,
LLC; WINDSTREAM NUVOX, INC.; AND
JOHN DOES 1 THROUGH 50, FOR UNLAWFUL
DISCRIMINATION.

COMMISSION
CLERK

13 APR 17 PM 1:12

RECEIVED-PPSC

PROCEEDINGS: COMMISSION CONFERENCE
ITEM NO. 13

COMMISSIONERS
PARTICIPATING: CHAIRMAN RONALD A. BRISÉ
COMMISSIONER LISA POLAK EDGAR
COMMISSIONER ART GRAHAM
COMMISSIONER EDUARDO E. BALBIS

DATE: Tuesday, April 9, 2013

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: JANE FAUROT, RPR
Official FPSC Reporter
(850) 413-6732

DOCUMENT NUMBER-DATE
02019 APR 17 2013
FPSC-COMMISSION CLERK

P R O C E E D I N G S

1
2 **CHAIRMAN BRISÉ:** We're going to do 13 now.
3 Okay.

4 Commissioner.

5 **COMMISSIONER EDGAR:** Thank you.

6 Mr. Chairman, I would move staff
7 recommendation also of Item 13, recognizing that that
8 one is a panel; Brisé, Edgar, and Balbis.

9 **CHAIRMAN BRISÉ:** Okay. Is there a second?

10 **COMMISSIONER BALBIS:** Second, Mr. Chairman,
11 and --

12 **CHAIRMAN BRISÉ:** Commissioner Balbis.

13 **COMMISSIONER BALBIS:** For discussion, I spent
14 a lot of time on this item, as I know my fellow panel
15 members did, as well. And one of the things that the
16 Legislature clearly did was remove a lot of our
17 authority when it comes to telecommunications.

18 However, I do believe that we still have the
19 authority to oversee and rule on potential
20 anticompetitive or discriminatory practices. However,
21 I agree with staff's recommendation on this item as the
22 types of services that were provided were clearly
23 different than AT&T's. So with that, I move staff's
24 recommendation on all issues.

25 **CHAIRMAN BRISÉ:** Okay. It has been moved and

1 seconded.

2 Any further comments from the panel? Seeing
3 none, all in favor say aye.

4 (Vote taken.)

5 **CHAIRMAN BRISÉ:** All right. Thank you very
6 much.

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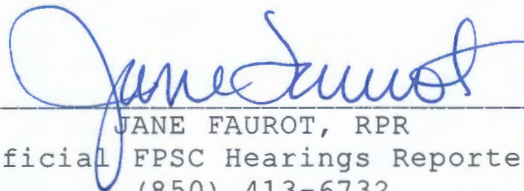
STATE OF FLORIDA)
 : CERTIFICATE OF REPORTER
COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, Hearing Reporter Services Section, FPSC Division of Commission Clerk, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 17th day of April, ~~2011~~ ²⁰¹³ *gf*



JANE FAUROT, RPR
Official FPSC Hearings Reporter
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