

MINUTES OF
COMMISSION CONFERENCE FEBRUARY 5, 2002
COMMENCED: 9:30 a.m.
ADJOURNED: 10:50 a.m.

COMMISSIONERS PARTICIPATING: Chairman Jaber
Commissioner Deason
Commissioner Baez
Commissioner Palecki
Commissioner Bradley

Parties were allowed to address the Commission on items designated by double asterisks (**).

1 Approval of Minutes
January 8, 2002 Regular Commission Conference

DECISION: The minutes were approved.

Commissioners participating: Jaber, Deason, Baez, Palecki, Bradley

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Commission Conference
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<u>ITEM NO.</u>	<u>CASE</u>										
2**	Consent Agenda										
PAA	A) Applications for certificates to provide alternative local exchange telecommunications service.										
	<table><thead><tr><th><u>DOCKET NO.</u></th><th><u>COMPANY NAME</u></th></tr></thead><tbody><tr><td>011649-TX</td><td>Foxtel, Inc.</td></tr><tr><td>011558-TX</td><td>Smart City Solutions, LLC</td></tr><tr><td>011604-TX</td><td>El Paso Networks, LLC</td></tr></tbody></table>	<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	011649-TX	Foxtel, Inc.	011558-TX	Smart City Solutions, LLC	011604-TX	El Paso Networks, LLC		
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PAA	B) Applications for certificates to provide interexchange telecommunications service.										
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<u>ITEM NO.</u>	<u>CASE</u>								
2**	Consent Agenda (Continued from previous page)								
PAA	C) Applications for certificates to provide pay telephone service.								
	<table border="1"> <thead> <tr> <th style="text-align: left;"><u>DOCKET NO.</u></th> <th style="text-align: center;"><u>COMPANY NAME</u></th> </tr> </thead> <tbody> <tr> <td>020051-TC</td> <td>Phonel, Inc.</td> </tr> <tr> <td>011673-TC</td> <td>Tom Marsell</td> </tr> <tr> <td>020050-TC</td> <td>C.V.P.Inc.</td> </tr> </tbody> </table>	<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	020051-TC	Phonel, Inc.	011673-TC	Tom Marsell	020050-TC	C.V.P.Inc.
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020051-TC	Phonel, Inc.								
011673-TC	Tom Marsell								
020050-TC	C.V.P.Inc.								
PAA	D) Request for cancellation of interexchange telecommunications certificate.								
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011678-TI	Pac-West Telecomm, Inc.	10/02/01							
PAA	E) DOCKET NO. 020022-TP - Request for cancellation of ALEC Certificate No. 7132 and IXC Certificate No. 7133 by FreedomTel, Inc., effective 11/27/01.								
PAA	F) DOCKET NO. 011602-TP - Request for approval of transfer of ownership of Concert Communications Sales LLC (holder of ALEC Certificate 7253 and IXC Certificate 7372) from joint ultimate ownership by British Telecommunications plc and AT&T Corp. to sole ultimate ownership by BT Group plc and British Telecommunications plc.								

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<u>ITEM NO.</u>	<u>CASE</u>
2**	Consent Agenda (Continued from previous page)
PAA	G) Request for exemption from requirement of Rule 25-24.515(13), F.A.C., that each pay telephone station shall allow incoming calls.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	<u>PHONE NO. & LOCATION</u>
020047-TC	BellSouth Public Communications, Inc.	904-751-8921 904-696-8978 904-757-9628 904-757-9702 904-757-9699 904-757-9623 Bacardi Bottling Corp. 12200 N. Main St. Jacksonville

RECOMMENDATION: The Commission should approve the action requested in the dockets referenced above and close these dockets.

DECISION: The recommendation was approved.

Commissioners participating: Jaber, Deason, Baez, Palecki, Bradley

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ITEM NO.

CASE

3**PAA

Docket No. 010951-TX - Application for certificate to provide alternative local exchange telecommunications service by Florida Phone Service, Inc.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehearing Officer: Administrative

Staff: CMP: Williams
GCL: Elliott

ISSUE 1: Should the Commission grant Florida Phone Service, Inc. a certificate to provide alternative local exchange telecommunications service within the State of Florida as provided by Section 364.337(1), Florida Statutes?

RECOMMENDATION: Yes. Florida Phone Service, Inc. should be granted Florida Public Service Commission Certificate No. 7905.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If no person whose substantial interests are affected by the Commission's decision in Issue 1 files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a Consummating Order.

DECISION: The recommendations were approved.

Commissioners participating: Jaber, Deason, Baez, Palecki, Bradley

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4**PAA

Docket No. 011654-TI - Investigation and determination of appropriate method for refunding overcharges assessed on intrastate calls made using prepaid calling services by Locus Telecommunications, Inc.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehearing Officer: Administrative

Staff: CMP: Buys
ECR: Draper, Vendetti
GCL: Teitzman

ISSUE 1: Should the Commission accept Locus Telecommunications, Inc.'s proposal to submit a payment of \$3,896.75, plus interest of \$87.30, for a total of \$3,984.05, to the General Revenue Fund for overcharging end-users on intrastate calls made using prepaid calling services provided through the *Satellite Phone Card* from May 1, 2001, through August 31, 2001?

RECOMMENDATION: Yes. The Commission should accept Locus Telecommunications, Inc.'s offer to submit a payment of \$3,896.75, plus interest of \$87.30, for a total of \$3,984.05, to the General Revenue Fund for overcharging end-users on intrastate calls made using prepaid calling services provided through the *Satellite Phone Card* from May 1, 2001, through August 31, 2001. The payment should be received by the Commission within ten business days after the issuance of the Consummating Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the General Revenue Fund. If Locus Telecommunications, Inc. fails to pay in accordance with its offer, Certificate No. 7439 should be canceled administratively and this docket should be closed.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: The Order issued from this recommendation will become final upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action Order. This

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ITEM NO.

CASE

4**PAA

Docket No. 011654-TI - Investigation and determination of appropriate method for refunding overcharges assessed on intrastate calls made using prepaid calling services by Locus Telecommunications, Inc.

(Continued from previous page)

docket should remain open pending receipt of the \$3,984.05 contribution. Upon receipt of the contribution, it should be forwarded to the Office of the Comptroller for deposit in the General Revenue Fund, and this docket should be closed administratively. If the company fails to pay the settlement contribution, this docket may be closed administratively upon cancellation of Locus Telecommunications, Inc.'s certificate.

DECISION: This item was deferred.

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<u>ITEM NO.</u>	<u>CASE</u>
5**PAA	<p>Docket No. 011653-TI - Compliance investigation of WorldTeq, Inc. for apparent violation of Rule 25-24.470, F.A.C., Certificate of Public Convenience and Necessity Required.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehearing Officer: Administrative</p> <p>Staff: CMP: Buys GCL: Teitzman</p> <p><u>ISSUE 1</u>: Should the Commission fine WorldTeq, Inc. \$25,000 for its apparent violation of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required? <u>RECOMMENDATION</u>: Yes. The Commission should fine WorldTeq, Inc. \$25,000 for its apparent violation of Rule 25-24.470, Florida Administrative Code, Certificate of Public Convenience and Necessity Required. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine is not received within five business days after the issuance of the Consummating Order, the collection of the fine should be referred to the Office of the Comptroller.</p> <p><u>ISSUE 2</u>: Should this docket be closed? <u>RECOMMENDATION</u>: The Order issued from this recommendation will become final upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action Order. This docket should then be closed administratively upon either receipt of the fine, or upon referral of the fine to the Office of the Comptroller for collection if the fine is not paid within five business days after issuance of the Consummating Order.</p> <p><u>DECISION</u>: This item was deferred.</p>

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ITEM NO.

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6**PAA

Docket No. 011611-EI - Petition for waiver of depreciation study filing requirement in Rule 25-6.0436(8)(a), F.A.C., by Florida Power Corporation.

Critical Date(s): 2/26/02 (Petition deemed approved if not granted or denied within 90 days of receipt.)

Commissioners Assigned: Full Commission
Prehearing Officer: Administrative

Staff: ECR: Meeks, P. Lee
GCL: Dodson

ISSUE 1: Should Florida Power Corporation's request for a waiver of Rule 25-6.0436(8)(a), Florida Administrative Code, be granted?

RECOMMENDATION: Yes. The Commission should grant FPC's waiver request for an extension of time to file its depreciation study no later than April 30, 2003. The requested waiver will serve the purposes of the underlying statutes, and FPC will experience substantial economic hardship if its Petition is denied. However, the filing date should be revisited if a settlement is reached in Docket No. 000824-EI.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. A consummating order should be issued, and this docket should be closed if no person whose substantial interests are affected by the proposed action files a protest within the 21-day protest period.

DECISION: The recommendations were approved.

Commissioners participating: Jaber, Deason, Baez, Palecki, Bradley

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ITEM NO.

CASE

7**PAA

Docket No. 011189-WS - Investigation into the authorized return on equity of Alafaya Utilities, Inc. in Seminole County; Lake Groves Utilities, Inc. in Lake County; Miles Grant Water and Sewer Co. in Martin County; and Utilities, Inc. of Longwood in Seminole County.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehearing Officer: Administrative

Staff: ECR: Jones, Merchant
GCL: Espinoza

ISSUE 1: Should the Commission, on its own motion, conduct a limited proceeding in order to update the authorized return on equity for Alafaya, Lake Groves, Miles Grant and Longwood?

RECOMMENDATION: Yes. Each utility's authorized ROE should be updated in order to establish a more appropriate return on a going-forward basis.

ISSUE 2: What is the appropriate ROE for Alafaya, Lake Groves, Miles Grant, and Longwood?

RECOMMENDATION: Each utility's ROE should be decreased to 11.05%, with a range of 10.05% to 12.05%, based on the current leverage formula. This recommended ROE should be effective as of the date the Commission's proposed agency action (PAA) order is final and should be applied to any future proceedings of each utility, including, but not limited to, price index rate adjustments, interim rates, and overearnings.

ISSUE 3: Should this docket be closed?

RECOMMENDATION: If no person whose interests are substantially affected by the proposed action files a protest within the 21-day protest period, the PAA order will become final upon the issuance of a consummating order, upon which the docket should be closed.

DECISION: This item was deferred.

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ITEM NO.

CASE

8**

Docket No. 990374-WS - Application for certificates to operate a water and wastewater utility in Highlands County by The Woodlands of Lake Placid, L.P., and for deletion of portion of wastewater territory in Certificate No. 361-S held by Highlands Utilities Corporation.

Critical Date(s): 4/2/02 (Statutory deadline for original certificates pursuant to Section 367.031, Florida Statutes.)

Commissioners Assigned: Full Commission
Prehearing Officer: Palecki

Staff: ECR: Clapp, Redemann, Iwenjiora
GCL: Fudge

ISSUE 1: Should the Commission order the utility to show cause, in writing within 21 days, why it should not be fined for operating a water and wastewater utility without a certificate of authorization in apparent violation of Chapter 367.031, Florida Statutes?

RECOMMENDATION: No. Show cause proceedings should not be initiated.

DECISION: The recommendation was approved.

ISSUE 2: Should Woodlands of Lake Placid, L.P., be ordered to show cause, in writing, within 21 days, why it should not be fined for collecting charges not approved by the Commission, in apparent violation of Sections 367.081(1), and 367.091(3), Florida Statutes?

RECOMMENDATION: No. Show cause proceedings should not be initiated at this time. The utility should be put on notice that pursuant to Sections 367.081(1) and 367.091(3), Florida Statutes, it may only charge rates and charges approved by the Commission.

DECISION: The recommendation was approved.

<u>ITEM NO.</u>	<u>CASE</u>
8**	<p>Docket No. 990374-WS - Application for certificates to operate a water and wastewater utility in Highlands County by The Woodlands of Lake Placid, L.P., and for deletion of portion of wastewater territory in Certificate No. 361-S held by Highlands Utilities Corporation.</p> <p>(Continued from previous page)</p>
PAA	<p><u>ISSUE 3</u>: Should the utility be required to make refunds to customers for charging unauthorized rates and charges? <u>RECOMMENDATION</u>: No. The utility should not be required to make refunds.</p> <p><u>DECISION</u>: The recommendation was approved with the modification that the Commission retains jurisdiction over the \$12,095 plus interest identified by staff, pending the outcome of the SARC. Additionally, rates collected on a going-forward basis are subject to refund.</p> <p><u>ISSUE 4</u>: Should Woodlands be ordered to show cause, in writing within 21 days, why it should not be fined for failure to file its 1995, 1996, 1997, and 1998 annual reports in apparent violation of Rule 25-30.110, Florida Administrative Code? <u>RECOMMENDATION</u>: No. Show cause proceedings should not be initiated at this time. Staff further recommends that the penalties set forth in Rule 25-30.110(7), Florida Administrative Code, should not be assessed, as the information contained in the delinquent reports is no longer needed for the ongoing regulation of the utility. Woodlands should not be required to file 1995, 1996, 1997, or 1998 annual reports.</p> <p><u>DECISION</u>: The recommendation was approved.</p> <p><u>ISSUE 5</u>: Should the application of The Woodlands of Lake Placid, L.P., for water and wastewater certificates be granted and the agreement between the Woodlands of Lake Placid, L.P., and Highlands Utilities Corporation be approved? <u>RECOMMENDATION</u>: Yes. The Woodlands of Lake Placid, L.P., should be granted Water Certificate No. 620-W to serve the territory described in Attachment B of staff's January 24,</p>

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CASE

8**

Docket No. 990374-WS - Application for certificates to operate a water and wastewater utility in Highlands County by The Woodlands of Lake Placid, L.P., and for deletion of portion of wastewater territory in Certificate No. 361-S held by Highlands Utilities Corporation.

(Continued from previous page)

2002 memorandum and Wastewater Certificate No. 533-S to serve the territory described in Attachment C. The Commission should approve the agreement (Attachment A) and the territory described in Attachment D should be deleted from the Highlands Wastewater Certificate No. 361-S and added to Woodlands Certificate No. 533-S.

DECISION: The recommendation was approved.

PAA

ISSUE 6: What rates and charges should be approved for Woodlands of Lake Placid?

RECOMMENDATION: The utility's rates and charges for water and wastewater service detailed in the analysis portion of staff's memorandum should be approved. The effective date of the utility's rates and charges should be the stamped approval date of the tariff sheets, pursuant to Rule 25-30.475, Florida Administrative Code. A return on equity of 11.34% should be approved.

DECISION: The recommendation was approved consistent with the modification in Issue 3 that rates collected on a going-forward basis are subject to refund. The \$35 rate is temporary pending outcome of the staff-assisted rate case.

PAA

ISSUE 7: What are the appropriate service availability charges for Woodlands?

RECOMMENDATION: The utility's proposed service availability charges set forth within the staff analysis are appropriate and should be approved effective for connections made on or after the stamped approval date on the tariff sheets.

DECISION: The recommendation was approved.

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8**

Docket No. 990374-WS - Application for certificates to operate a water and wastewater utility in Highlands County by The Woodlands of Lake Placid, L.P., and for deletion of portion of wastewater territory in Certificate No. 361-S held by Highlands Utilities Corporation.

(Continued from previous page)

ISSUE 8: Should this docket be closed?

RECOMMENDATION: Yes. If no timely protest is received to the proposed agency action issues, a Consummating Order should be issued upon the expiration of the protest period. Should no timely protests be received, the docket should be closed.

DECISION: The decision in this issue is consistent with modifications in Issues 3 and 6.

Commissioners participating: Jaber, Deason, Baez, Palecki, Bradley

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ITEM NO.

CASE

9**

Docket No. 010726-WS - Complaint by Bayside Mobile Home Park against Bayside Utility Services, Inc. regarding denial of request for water and wastewater service in Bay County.

Critical Date(s):

Commissioners Assigned: Full Commission
Prehearing Officer: Deason

Staff: GCL: Jaeger
ECR: Rendell, Walker

ISSUE 1: Should the Commission grant Bayside Utility Services, Inc.'s Motion to Dismiss the Developer's Petitions, Protests and Requests for Hearing?

RECOMMENDATION: No. The Commission should deny Bayside Utility Services, Inc.'s Motion to Dismiss the Developer's Petitions, Protests and Requests for Hearing. The petitions serve as adequate notice that there is a dispute as to the applicable law and proper application of the Commission's rules. There being no apparent dispute of material fact, staff recommends that an informal proceeding in accordance with Rule 28-106.301, Florida Administrative Code, be initiated.

ISSUE 2: Should the Commission grant Bayside Mobile Home Park's Amended Petition to refer this matter to the Division of Administrative Hearings and request that an Administrative Law Judge be assigned to conduct the hearing in Panama City Beach?

RECOMMENDATION: No. The Commission should deny in part and grant in part Bayside Mobile Home Park's Original Petition and Amended Petition Protesting Proposed Agency Action Order No. PSC-01-2095-PAA-WS. Specifically, the Commission should deny the request to assign the protests to the Division of Administrative Hearings, deny the request to hold the hearing in Panama City Beach, and deny the requests for either mediation or arbitration. However, because there appear to be no disputed issues of material fact, the Commission should initiate an informal proceeding in

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CASE

9**

Docket No. 010726-WS - Complaint by Bayside Mobile Home Park against Bayside Utility Services, Inc. regarding denial of request for water and wastewater service in Bay County.

(Continued from previous page)

accordance with Section 120.57(2), Florida Statutes, and require the parties to submit legal briefs, and allow oral argument in conjunction with a designated agenda conference. If the Developer requests that it be allowed to participate by telephone, such request should be granted.

DECISION: The recommendations were denied. On the Commission's own motion, this entire matter is to be disposed of by a summary final order.

Commissioners participating: Jaber, Deason, Baez, Palecki, Bradley

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<u>ITEM NO.</u>	<u>CASE</u>
10**PAA	<p>Docket No. 010097-TL - Compliance investigation of BellSouth Telecommunications, Inc. for violation of service standards.</p> <p>Critical Date(s): 3/7/02 (90-day statutory deadline for rule waiver)</p> <p>Commissioners Assigned: Full Commission Prehearing Officer: Baez</p> <p>Staff: GCL: Fudge CMP: Buys</p> <p><u>ISSUE 1</u>: Should the Commission grant BellSouth's petition for a limited waiver of Rule Nos. 24-4.066(2), 25-4.070(3)(a), and 25-4.070(1)(b), Florida Administrative Code?</p> <p><u>RECOMMENDATION</u>: Yes. The Commission should grant BellSouth's petition for a limited waiver of Rule Nos. 24-4.066(2), 25-4.070(3)(a), and 25-4.070(1)(b), Florida Administrative Code. The waiver of the rules should remain in effect until midnight on February 28, 2005, the expiration of BellSouth's Service Guarantee Plan, unless otherwise directed by the Commission.</p> <p><u>ISSUE 2</u>: Should the Commission approve BellSouth's proposed settlement offer to resolve the compliance investigation for the apparent violation of service standards during the calendar years 2000 and 2001?</p> <p><u>RECOMMENDATION</u>: Yes. The Commission should approve BellSouth's proposed settlement offer in its entirety. The Order should become final and the company's proposed settlement offer should become effective upon issuance of a Consummating Order.</p>

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ITEM NO.

CASE

10**PAA

Docket No. 010097-TL - Compliance investigation of BellSouth Telecommunications, Inc. for violation of service standards.

(Continued from previous page)

ISSUE 3: Should this docket be closed?

RECOMMENDATION: If the Commission approves staff's recommendations in Issue 1 and Issue 2, this docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action Order. If the Commission denies staff's recommendation in either Issue 1 or Issue 2, this docket should remain open pending resolution of the compliance investigation.

DECISION: The recommendations were approved.

Commissioners participating: Jaber, Deason, Baez, Palecki, Bradley

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<u>ITEM NO.</u>	<u>CASE</u>
11	<p>Docket No. 010345-TP - Petition by AT&T Communications of the Southern States, Inc., TCG South Florida, and MediaOne Florida Telecommunications, Inc. for structural separation of BellSouth Telecommunications, Inc. into two distinct wholesale and retail corporate subsidiaries.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Jaber, Deason, Baez, Palecki Prehearing Officer: Palecki</p> <p>Staff: GCL: Fudge CMP: Simmons</p> <p><u>ISSUE 1</u>: Should AT&T's Motion for Reconsideration of Order No. PSC-01-2178-FOF-TP be granted? <u>RECOMMENDATION</u>: No. AT&T has failed to identify any point of fact or law that the Commission overlooked or which the Commission failed to consider in rendering its Order.</p> <p><u>ISSUE 2</u>: Should this docket be closed? <u>RECOMMENDATION</u>: Yes. Since no further action is required, this docket should be closed.</p> <p><u>DECISION</u>: The recommendations were approved. Commissioner Palecki dissented from the majority.</p> <p>Commissioners participating: Jaber, Deason, Baez, Palecki</p>

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<u>ITEM NO.</u>	<u>CASE</u>
12	Docket No. 010302-TP - Petition by ALLTEL Communications, Inc. for arbitration of certain open issues in existing interconnection agreement with BellSouth Telecommunications, Inc.

Critical Date(s): None

Commissioners Assigned: Jaber, Deason, Palecki
Prehearing Officer: Palecki

Staff: GCL: Fudge
CMP: Cater

ISSUE 1: Should the Commission approve the arbitrated Interconnection Agreement between BellSouth and ALLTEL in Docket No. 010302-TP?

RECOMMENDATION: Yes. The Commission should approve the arbitrated Interconnection Agreement between BellSouth and ALLTEL in Docket No. 010302-TP.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, no further action will be required in this docket. Therefore, this docket may be closed.

DECISION: The recommendations were approved.

Commissioners participating: Jaber, Deason, Palecki

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<u>ITEM NO.</u>	<u>CASE</u>
13	<p>Docket No. 001797-TP - Petition by DIECA Communications, Inc. d/b/a Covad Communications Company for arbitration of unresolved issues in interconnection agreement with BellSouth Telecommunications, Inc.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Jaber, Baez, Palecki Prehearing Officer: Jaber</p> <p>Staff: CMP: Fulwood GCL: Banks</p> <p><u>ISSUE 1</u>: Should the Commission approve the arbitrated interconnection agreement between BellSouth and Covad in Docket No. 001797-TP? <u>RECOMMENDATION</u>: Yes. The Commission should approve the arbitrated interconnection agreement between BellSouth and Covad in Docket No. 001797-TP.</p> <p><u>ISSUE 2</u>: Should this docket be closed? <u>RECOMMENDATION</u>: Yes. If the Commission approves staff's recommendation in Issue 1, no further action will be required in this docket. Therefore, this docket may be closed.</p> <p><u>DECISION</u>: The recommendations were approved.</p> <p>Commissioners participating: Jaber, Baez, Palecki</p>

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<u>ITEM NO.</u>	<u>CASE</u>
14**	Docket No. 991378-TL - Initiation of show cause proceedings against BellSouth Telecommunications, Inc. for violation of service standards.

Critical Date(s): None

Commissioners Assigned: Baez, Palecki
Prehearing Officer: Baez

Staff: GCL: B. Keating, Knight
CMP: Buys

ISSUE 1: Should the Commission grant BellSouth's unopposed motion for extension of time until March 1, 2002, to comply with Commission Order PSC-01-1643-AS-TL?

RECOMMENDATION: Yes. The Commission should grant BellSouth's unopposed motion for extension of time until March 1, 2002, to comply with Commission Order PSC-01-1643-AS-TL.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon the issuance of the Final Order.

DECISION: The recommendations were approved.

Commissioners participating: Baez, Palecki