

MINUTES OF MAY 3, 2004
SPECIAL COMMISSION CONFERENCE

COMMENCED: 11:04 a.m.
ADJOURNED: 12:25 p.m.

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

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

- 1Docket No. 030867-TL - Petition by Verizon Florida Inc. to reform intrastate network access and basic local telecommunications rates in accordance with Section 364.164, Florida Statutes.
Docket No. 030868-TL - Petition by Sprint-Florida, Incorporated to reduce intrastate switched network access rates to interstate parity in revenue-neutral manner pursuant to Section 364.164(1), Florida Statutes.
Docket No. 030869-TL - Petition for implementation of Section 364.164, Florida Statutes, by rebalancing rates in a revenue-neutral manner through decreases in intrastate switched access charges with offsetting rate adjustments for basic services, by BellSouth Telecommunications, Inc.
Docket No. 030961-TI - Flow-through of LEC switched access reductions by IXCs, pursuant to Section 364.163(2), Florida Statutes.

Critical Date(s): 5/3/04 (Per direction of the Florida Supreme Court.)

Commissioners Assigned: All Commissioners
Prehearing Officer: Bradley

Staff: GCL: Banks, B. Keating, Christensen, Fordham
CMP: Salak, Bulecza-Banks, Simmons
MMS: Bass, Bethea

Issue 1: Should the Request for Oral Argument filed by AARP, as well as the Motion and Amended Motion for Oral Argument filed by the Attorney General, be granted?

Recommendation: To the extent that AARP and the Attorney General seek oral argument on the Motions for Reconsideration, the requests should be granted. Staff recommends that oral argument be limited to 20 minutes per side.

To the extent that the Attorney General's Amended Motion for Oral Argument appears to seek the release of information that has been classified as confidential, the request is not timely or proper for the reasons set forth in the analysis portion of staff's April 26, 2004 memorandum. Nevertheless, to the extent that the owners of any information heretofore classified as confidential under Section 364.183, Florida Statutes,

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are willing to release said information to the public, they are not precluded from doing so.

Issue 2: Should the Commission grant the Motions for Reconsideration filed by the Attorney General and the AARP?

Recommendation: No. The Motions should be denied. Neither motion identifies a mistake of fact or law in the Commission's decision. However, the AG and the AARP have identified certain aspects of the Order that should be clarified or amended, as set forth in the staff analysis. In particular, staff recommends: (1) adding language to confirm that the Commission considered the impact of Section 364.01(4)(a) in reaching its decision; (2) amending the Order to clarify that the Commission delegated to staff the authority to review the required tariff filings and to issue administrative final orders approving those tariffs; (3) amending the Order to clarify that the Commission's approval of certain ILEC commitments was not a precondition to its approval of the ILECs' petitions; and (4) clarifying that in analyzing the benefits to residential consumers of long distance rate reductions, the Commission considered qualitative as well as quantitative benefits.

Issue 3: Should these Dockets be closed?

Recommendation: No.

DECISION: The recommendations were approved.

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