

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

SEPTEMBER 21, 2004

RE: Docket No. 030851-TP - Implementation of requirements arising from Federal Communications Commission's triennial UNE review: Local Circuit Switching for Mass Market Customers.

Docket No. 030852-TP - Implementation of requirements arising from Federal Communications Commission's triennial UNE review: Location-Specific Review for DS1, DS3 and Dark Fiber Loops, and Route-Specific Review for DS1, DS3 and Dark Fiber Transport.

Issue 1: Should these dockets be closed?

Recommendation: Yes. In light of the Court's USTA II decision, no further Commission action is necessary or required in Docket Nos. 030851-TP and 030852-TP, and thus the dockets should be closed. Additionally, staff recommends that the Commission not prepare summaries or forward the records in these dockets to the FCC, but rather serve to facilitate any such filings by the parties and provide any other reasonable assistance to effect such efforts.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures of majority commissioners: Chuck M. Dand, [unclear], Jerry [unclear], Judy Bradley

Four blank lines for dissenting signatures.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

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