

VOTE SHEET

June 6, 2006

Docket No. 060141-TL - Complaint by Karl Amsler and Sonny Stewart against BellSouth Telecommunications, Inc. for alleged improper billing.

**Issue 1:** Did BellSouth charge the Customers in accordance with its tariff when assigning special construction costs for a facilities rearrangement at the residence of Karl Amsler and Sonny Stewart?

**Recommendation:** Yes. BellSouth in accordance with its tariff charged Karl Amsler and Sonny Stewart for special construction costs for a facilities rearrangement.

**APPROVED**

**Issue 2:** Did BellSouth complete all of the work as charged for the facilities rearrangement?

**Recommendation:** No. BellSouth failed to remove the old anchor from the Customer's property. BellSouth should either remove the old anchor from the property or refund the Customers in the amount of \$174.51.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Katrina G. Jew*  
*[Signature]*  
*J. Edgar*  
*[Signature]*  
*[Signature]*

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REMARKS/DISSENTING COMMENTS:

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(Continued from previous page)

**Issue 3:** Should this docket be closed?

**Recommendation:** The Order issued from this recommendation will become final and effective upon issuance of a Consummating Order, unless a person whose substantial interest are affected by the Commission's decision files a protest that identifies with specificity the issues in dispute, in the form provided by Rule 28-106.201, Florida Administrative Code, within 21 days of the issuance of the Proposed Agency Action Order. As provided by Section 120.80 (13)(b), Florida Statutes, any issues not in dispute should be deemed stipulated. Staff recommends that BellSouth files within 30 days from date of issuance of consummating order, proof of removal of facilities or refund of \$174.51. After proof has been submitted, this docket should be closed administratively.

**APPROVED**

*Additionally, staff was directed to review the requirements, if any, of what constraints should be in place for making an estimate.*