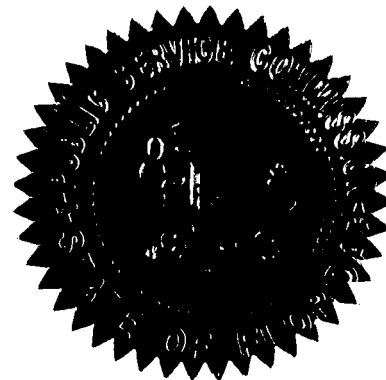


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080065-TX

In the Matter of:

INVESTIGATION OF VILAIRE COMMUNICATIONS,
INC.'S ELIGIBLE TELECOMMUNICATIONS
CARRIER STATUS AND COMPETITIVE LOCAL
EXCHANGE COMPANY CERTIFICATE STATUS IN
THE STATE OF FLORIDA.



PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER NATHAN A. SKOP
 PREHEARING OFFICER

DATE: Wednesday, May 28, 2008

TIME: Commenced at 9:33 a.m.
 Concluded at 9:38 a.m.

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

REPORTED BY: LINDA BOLES, RPR, CRR
 Official FPSC Reporter
 (850) 413-6734

DOCUMENT NUMBER-DATE

FLORIDA PUBLIC SERVICE COMMISSION 04543 MAY 29 8

FPSC-COMMISSION CLERK

1 PARTICIPATING:

2 LEE ENG TAN, ESQUIRE, ADAM TEITZMAN, ESQUIRE, and
3 ROSANNE GERVASI, ESQUIRE, FPSC General Counsel's Office, 2540
4 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850,
5 representing the Commission Staff.

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P R O C E E D I N G S

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2 COMMISSIONER SKOP: Good morning. I'd like to call
3 this prehearing to order. Commissioner Nathan A. Skop
4 presiding.

5 Advisory staff, if you could please read the notice.

6 MS. GERVASI: Pursuant to notice, this time and place
7 has been set for a prehearing in Docket Number 080065-TX, In
8 re: Investigation of Vilaire Communications, Inc.'s eligible
9 telecommunications carrier status and competitive local
10 exchange company certificate status in the State of Florida.

11 COMMISSIONER SKOP: Thank you. And now we'll take
12 appearances, first starting with prosecutorial staff.

13 MS. TAN: Lee Eng Tan and Adam Teitzman on behalf of
14 prosecutorial staff.

15 MS. GERVASI: And Rosanne Gervasi on behalf of the
16 advisory staff.

17 COMMISSIONER SKOP: Okay. And it's my understanding,
18 I guess let the record reflect that VCI nor their local counsel
19 is present at the prehearing.

20 MS. GERVASI: Thank you, Commissioner. And advisory
21 staff would like to inform you on the record that yesterday
22 afternoon, May the 27th of 2008, VCI filed a letter in the
23 docket file stating that they will no longer participate in any
24 aspect of this docket, including the prehearing scheduled for
25 today.

1 We have prepared and distributed a Draft Prehearing
2 Order for use at today's prehearing, but because the company
3 has chosen not to participate, we don't see a reason to go
4 through the Draft Prehearing Order at this time.

5 The advisory staff suggests that the Commission
6 convene the hearing at the scheduled time next week in order to
7 address the letter that VCI filed yesterday as well as, pardon
8 me, as well as two other pending motions as preliminary,
9 preliminary matters at the start of the hearing.

10 COMMISSIONER SKOP: Okay. And with that I just
11 would like to speak to advisory staff. I guess pursuant to
12 Section VI, Paragraph B, of the Order Establishing Procedure,
13 Attendance at Prehearing Conference, "Failure of a party (or
14 that party's representative) to appear shall constitute waiver
15 of that party's issues and positions, and that party may be
16 dismissed from the proceeding." Would it be advisory staff's
17 position that the Prehearing Officer would have sole discretion
18 to dismiss a party from a proceeding?

19 MS. GERVASI: Yes, sir, to dismiss a party from the
20 proceeding is within the Prehearing Officer's discretion. In
21 this case we would end up with no party besides the
22 prosecutorial staff, of course.

23 COMMISSIONER SKOP: In the interest of due process,
24 I'm going to refrain from using that discretion and leave open
25 the option for the party to appear at the, the hearing that

1 will be held, at which time we'll take up the dispositive
2 motion.

3 So with that, I guess we'll get into preliminary
4 matters. And looking to advisory staff, are there any
5 preliminary matters that we need to address prior to -- I guess
6 we're not going to get into the Draft Prehearing Order because
7 I guess it would be unnecessary. But if you could speak to the
8 preliminary matters, I'd appreciate it.

9 MS. GERVASI: Other than what I mentioned about the
10 letter that they filed yesterday, that's really the only other
11 preliminary matter aside from the two other dispositive pending
12 motions, all three of which we would suggest be taken up at the
13 hearing next week as, as preliminary matters.

14 COMMISSIONER SKOP: Okay. And in that regard, I'd
15 respectfully request advisory staff to file a recommendation on
16 those two pending motions in advance of the hearing for the
17 Commission's consideration. And I guess that would be taken up
18 as a preliminary matter at the start of the hearing process.
19 And could advisory staff have that filed by June 2nd?

20 MS. GERVASI: Yes, sir. We'll be happy to do that.

21 COMMISSIONER SKOP: Thank you.

22 Are there any other preliminary matters that we need
23 to address?

24 MS. GERVASI: No, sir, not that we're aware of.

25 COMMISSIONER SKOP: Okay. And I guess pursuant to

1 advisory staff's suggestion review of the Draft Prehearing
2 Order and the sections would be unwarranted, given the lack of
3 the parties to appear.

4 MS. GERVASI: Yes, sir.

5 COMMISSIONER SKOP: Okay. And any other matters that
6 we need to consider at the prehearing?

7 MS. GERVASI: No, sir, not at this time.

8 COMMISSIONER SKOP: Okay. With that, we stand
9 adjourned. Thank you.

10 (Prehearing Conference adjourned at 9:38 a.m.)

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

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I, LINDA BOLES, RPR, CRR, Official Commission Reporter, 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' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 29th day of May, 2008.

Linda Boles
LINDA BOLES, RPR, CRR
FPSC Official Commission Reporter
(850) 413-6734