Matilda Sanders

PSC-12-0051-FOF-TI

110071-17

From:

Diamond Williams

Sent: To: Friday, February 03, 2012 9:51 AM CLK - Orders / Notices; Lee Eng Tan

Subject:

Order / Notice Submitted

Date and Time:

2/3/2012 9:49:00 AM

Docket Number:

110071-TP

Filename / Path:

110071 Standard Order TLT.doc

ORDER ACKNOWLEDGING VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Thank you,

Diamond Williams
Deputy Clerk II
Office of General Counsel
Florida Public Service Commission
Email: diwillia@psc.state.fl.us

Phone: 850-413-6094

FAXED - 0 MAILED - 0 ENAILED - 3

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FPSC, CLK CORRESPONDENCE

Administrative Parties Consumer

DOCUMENT NO. 01731-11

DISTRIBUTION:

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida (f/k/a BellSouth Telecommunications) (11agr)		greg.follensbee@att.com	No
Express Phone Service		tom@dei.gccoxmail.com	No
Keefe Law Firm (10a)		vkaufman@kagmlaw.com	No

The attached document has been issued by the Florida Public Service Commission and filed with the Off... Page 1 of 1

Commission Clerk

Subject: FPSC E-service of Document NO. 00703-12 in Docket 110071-TP (Email ID = 404396)

The document described below has been issued by the Florida Public Service Commission and filed with the Office of Commission Clerk. As a party of record at the time of issuance or, if applicable, an interested person, you are being provided this information electronically.

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DOCUMENT NO.	DESCRIPTION
00703-12 (3 pgs.)	Order PSC-12-0051-FOF-TP
	acknowledging Express Phone's voluntary dismissal without prejudice; closes docket.

Docket Index for January 24, 2012, Commission Conference Agenda

- PLEASE NOTE: This list is assembled for the administrative convenience of CLK personnel and does not represent the final agenda product. Persons who rely on this list for any purpose do so at their own risk.
- Consent Agenda
 - A) 110318-TP
- 2. 110041-EI
- 3. 100459-EI
- √4. 110071-TP
 - 5. 110272-EU
 - 6. 110305-EI
 - 7. 110306-TP
 - 8. 110312-EQ
 - 9. 110207-EI
 - 10. 110320-GU
 - 11. 120005-WS

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Mep OFFICIALS

GOV. OFFICIALS

Lake Co

Lake Co

LID272-E1

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
Alturas Utilities, L.L.C.	WU871	utilityconsultant@yahoo.com	Yes
Anglers Cove West, Ltd.	WS817	baltman@centurycompanies.net	Yes
Aqua Utilities Florida, Inc.	SU821	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS688	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS768	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS798	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS880	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS881	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS883	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS884	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS885	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS886	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS887	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS888	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WS938	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WU174	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WU787	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WU879	WTRendell@aquaamerica.com	Yes
Aqua Utilities Florida, Inc.	WU882	WTRendell@aquaamerica.com	Yes
AT&T Florida	TL720	greg.follensbee@att.com	No
AT&T Florida (f/k/a BellSouth Telecommunications) (11agr)		greg.follensbee@att.com	No
BFF Corp.	SU595	charlie@alternativephone.com	Yes
Black Bear Reserve Water Corporation	WU940	blackbearwater@gmail.com	Yes
Brendenwood Utilities, LLC.	WU951	gpconnollyjr@gmail.com	Yes
C & H Utilities, Inc.	WU649	shortutility@embarqmail.com	Yes
C.F.A.T. H2O, Inc.	WS719	charlie@alternativephone.com	Yes
Camachee Cove Yacht Harbor Utility	WU927	marlene.camachee@comcast.net	Yes
Cedar Acres Inc	WU917	DavidJSimons@aol.com	Yes
Central Sumter Utility Company, L.L.C.	WS897	John.wise@thevillages.com	Yes
Century Estates Utilities, Inc.	WU725	jlinartas@yahoo.com	Yes
CHC VII, Ltd.	WS816	baltman@centurycompanies.net	Yes
City of Marianna		deanj@cityofmarianna.com	No
Colina Bay Water Company, LLC	WU900	shelley@reserveinvest.com	Yes
Commercial Utilities, Division of Grace and Company, Inc.	WS090	Incgrace@aol.com	Yes
comverge		sfay@comverge.com	No
Continental Utility, Inc.	WS606	gm@continentalcountryclub.com	Yes
Coral Cay Water & Sewer Company	WS731	coral_cay_manager@equitylifestyle.com	Yes
Country Club Utilities, Inc.	WS654	rgregharris@gmail.com	Yes
County-Wide Utility Co., Inc.	WU008	countywide@leewardairranch.com	Yes
Crestridge Utility Corporation	WU049	countrygirl@svs.net	Yes
CWS Communities LP	WU839	Mmathisen@HometownAmerica.com	Yes
Cypress Lakes Utilities, Inc.	WS800	pcflynn@uiwater.com	Yes
Damon Utilities, Inc.	WS551	damonutilities@embarqmail.com	Yes
East Central Florida Services, Inc.	WU643	jpayne@ari-slc.com	Yes
Express Phone Service		tom@dei.gccoxmail.com	No
Farmton Water Resources LLC	WU859	mabfarmton@hughes.net	Yes
FIMC Hideaway, Inc.	WS652	jandrmcbride@cox.net	Yes
FL - CLEC LLC		michelle.salisbury@crowncastle.com	No
FLATEL, Inc.	TX 164	AMatari@Flatel.net	No
Florida Power & Light Company (11b)	W-2000	Ken.Hoffman@fpl.com	No
Florida Power & Light Company (Juno 11g)		Will.Cox@fpl.com	No
Florida Public Utilities Company		tgeoffroy@cfgas.com	No
Florida Public Utilities Company (11)		tgeoffroy@cfgas.com	No

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY	
Forest Utilities, Inc.	SU293	forestu@aol.com	Yes	
Fountain Lakes Sewer Corp.	SU572	maryjo.kelly@k-a-c.com	Yes	
Four Lakes Golf Club, Ltd.	WS815	baltman@centurycompanies.net	Yes	
Francis I Utility, L.L.C.	SU858	kasi@francisone.com	Yes	
Gold Coast Utility Corp.	WS899	burkimwater@aol.com	Yes	
Grenelefe Resort Utility, Inc.	WS770	bryon smith@wgresorts.com	Yes	
Gulf Power Company	EI804	sdriteno@southernco.com	No	
Gunster Law Firm (10)	Elect	BKeating@gunster.com	No	
Gunster Law Firm (10) Gunster Law Firm (10Keating)		BKeating@gunster.com	No	
Gunster Law Firm (Tokeating) Gunster Law Firm (11Keating)		bkeating@gunster.com	No	
Harbor Hills Utilities, L.P.	WU727	arich@harborhills.com	Yes	
Hash Utilities, LLC	WU950	marshall@hash.com	Yes	
	WS814			
Hidden Cove, Ltd.		baltman@centurycompanies.net	Yes	
Holiday Gardens Utilities, Inc.	WU109	countrygirl@svs.net	Yes	
HV Utility Systems, L.L.C.	SU866	ken_kroot@equitylifestyle.com	Yes	
Indiantown Company, Inc.	WS120	maryannh@itstelecom.net	Yes	
Joyland Water System	WU711	yarm4.1.1@netzero.net	Yes	
K W Resort Utilities Corp.	SU336	chriskw@bellsouth.net	Yes	
Keefe Law Firm (10a)		vkaufman@kagmlaw.com	No	
LWV Utilities, Inc.	WU135	water@fastestserver.com	Yes	
Labrador Utilities, Inc.	WS851	pcflynn@uiwater.com	Yes	
Lake Placid Utilities, Inc.	WS709	pcflynn@uiwater.com	Yes	
Lake Utility Services, Inc.	WS641	pcflynn@uiwater.com	Yes	
Lake Utility Services, Inc.	WU553	pcflynn@uiwater.com	Yes	
Lake Yale Treatment Associates, Inc.	WS823	Qty555@aol.com	Yes	
Lighthouse Utilities Company, Inc.	WU533	luci@gtcom.net	Yes	
Macfarlane Law Firm (11)		aw@macfar.com	No	
Marion Utilities, Inc.	WS160	marionutl@aol.com	Yes	
Mayor, City of Clermont		jwarren@clermontfl.org	Yes	
Mayor, City of Eustis		eustiscm@eustis.org	Yes	
Mayor, City of Fruitland Park		fruitInd@atlantic.net	Yes	
Mayor, City of Groveland		Richard.Smith@groveland-fl.gov	Yes	
Mayor, City of Mascotte		felix.ramirez@cityofmascotte.com	Yes	
Mayor, City of Mount Dora		citymgr@ci.mount-dora.fl.us	Yes	
Mayor, Town of Montverde		mayor@mymontverde.com	Yes	
McLeod Gardens Water Company	WU841	lauravgriffith@aol.com	Yes	
Mid-County Services, Inc.	SU291	pcflynn@uiwater.com	Yes	
Mountain Lake Corporation	WU791	BMARTIN@mountainlakecc.com	Yes	
Neighborhood Utilities, Inc.	WU383	wlarryo@hotmail.com	Yes	
Neighborhood Offities, file. Ni Florida, LLC	SU915	ewallace@niamerica.com	Yes	
	WU920	ewallace@niamerica.com		
Ni Florida, LLC	WS926		Yes	
North Beach Utilities, Inc.		nbutilities@bellsouth.net	Yes	
North Peninsula Utilities Corporation	SU615 WS172	developershw@gmail.com	Yes	
Northgate Properties, Inc.		rnorthgateprope@cfl.rr.com	Yes	
Oak Springs, LLC	WU875	mvcres1@msn.com	Yes	
Office of Public Counsel (10d)		KELLY.JR@leg.state.fl.us	No	
Office of Public Counsel (12b)	310010	reilly.steve@leg.state.fl.us	No	
Orange Blossom Utilities, Inc.	WS912	nancy.roach@ymail.com	Yes	
Orange Lake	WS892	gmorse4@tampabay.rr.com	Yes	
Orangedale Utilities, Inc.	WS935	hdwrhr@yahoo.com	Yes	
Orangewood Lakes Services, Inc.	WS180	angela@floridacommunities.com	Yes	
Palm Valley Utilities	WS832	sseyffart@hometownamerica.net	Yes	
Park Water Company	WU776	parkwaterco@aol.com	Yes	
Parkland Utilities, Inc.	WS189	PUI@bellsouth.net	Yes	

PARTY NAME	COMPANY CODE	EMAIL ADDRESS CO			
Peoples Gas System	GU608	Regdept@tecoenergy.com	No		
Peoples Water Service Company of Florida, Inc.	WU671	sgillet@peopleswater.net	Yes		
Pine Harbour Water Utilities, LLC	WU921	pineharbourwater@aol.com	Yes		
Pine Island Cove Homeowners Association, Inc.	SU724	picoveha@comcast.net	Yes		
Pinecrest Ranches, Inc.	WU779	ginger00317@msn.com	Yes		
Placid Lakes Utilities, Inc.	WU193	pambrewer@embarqmail.com	Yes		
Plantation Bay Utility Co.	WS479	dross@icihomes.com	Yes		
Plantation Landings, Ltd.	WS813	baltman@centurycompanies.net	Yes		
Pluris Wedgefield, Inc.	WS929	kpratt@pluriscompanies.com	Yes		
Raintree Utilities, Inc.	WU663	fred@raintreeutilities.com	Yes		
Regency Utilities, Inc.	WS919	mfriedman@rsbattorneys.com	Yes		
Residential Water Systems, Inc.	WU370	charlie@alternativephone.com	Yes		
Royal Utility Company	WS570	info@royalutility.com	Yes		
S & L Utilities, Inc.	SU327	teresafletcher@cox.net	Yes		
S. V. Utilities, Ltd.	WS812	baltman@centurycompanies.net	Yes		
Sanlando Utilities Corporation	WS397	pcflynn@uiwater.com	Yes		
Service Management Systems, Inc.	WS571	dennis@dbasile.com	Yes		
Shangri-La by the Lake Utilities, Inc.	WS728	jaylaura6@msn.com	Yes		
Silver Lake Utilities, Inc.	WS907	Joe.Collins@LykesRanch.com	Yes		
Southlake Utilities, Inc.	WS638	wjdeaspa@bellsouth.net	Yes		
St. John's River Club Utility Company, LLC	WS906	rachelwachs@aol.com_	Yes		
Stone & Gerken, P.A. (11)		lewis@stoneandgerken.com	No		
Sun Communities Operating Limited Partnership	WS746	jhoekstra@suncommunities.com	Yes		
Sun River Utilities, Inc.	WS922	oldbridge9@aol.com	Yes		
Sunny Shores Water Co., Inc.	WS754	jdsswc@tampabay.rr.com	Yes		
Sunrise Utilities, LLC	WU870	utilityconsultant@yahoo.com	Yes		
Tampa Electric Company	E1806	Regdept@tecoenergy.com	No		
TBBT Utility LLC	WS918	mooney1325@yahoo.com	Yes		
Tierra Verde Utilities, Inc.	SU682	pcflynn@uiwater.com	Yes		
Timberwood Utilities	WS896	davbolling@aol.com	Yes		
TLP Water, Inc.	WU924	TLPWATERINC@GMAIL.COM	Yes		
Town & Country Utility	SU904	cdesanti@kitsonpartners.com	Yes		
Town & Country Utility	WU811	cdesanti@kitsonpartners.com	Yes		
Tradewinds Utilities, Inc.	WS350	charlie@alternativephone.com	Yes		
Tymber Creek Utilities, Incorporated	WS246	tymbercreekutil@aol.com	Yes		
Useppa Island Utility, Inc.	WS249	tfitz5@comcast.net	Yes		
Utilities, Inc. of Eagle Ridge	SU749	pcflynn@uiwater.com	Yes		
Utilities, Inc. of Florida	SU640	pcflynn@uiwater.com	Yes		
Utilities, Inc. of Florida	SU661	pcflynn@uiwater.com	Yes		
Utilities, Inc. of Florida	WS251	pcflynn@uiwater.com	Yes		
Utilities, Inc. of Florida	WU372	pcflynn@uiwater.com	Yes		
Utilities, Inc. of Florida	WU413	pcflynn@uiwater.com	Yes		
Utilities, Inc. of Florida	WU443 WU628	pcflynn@uiwater.com	Yes		
Utilities, Inc. of Florida		pcflynn@uiwater.com pcflynn@uiwater.com	Yes		
Utilities, Inc. of Longwood	SU761 WS861	pcflynn@uiwater.com pcflynn@uiwater.com	Yes Yes		
Utilities, Inc. of Pennbrooke	SU916	Imschlabach@aol.com	Yes		
Utility Corporation of Florida, Inc. W.B.B. Utilities, Inc.	WU639	bairport@comcast.net	Yes		
Water Management Services, Inc.	WS236	gdb5@comcast.net	Yes		
Water Oak Utility	WS755	jhoekstra@suncommunities.com	Yes		
West Lakeland Wastewater, Inc.	SU836	utilityconsultant@yahoo.com	Yes		
	WU385	dlouhy@embarqmail.com	Yes		
		- Grount (azembaruman, COIII	1 63		
Windstream Utilities Company Young Law Firm (10)	7,0303	swright@yvlaw.net	No		

PARTY	COMPANY	EMAIL	ADDRESS IN MASTER COMMISSION DIRECTORY
NAME	CODE	ADDRESS	
Zachary Taylor Camping and Lodge, Inc.	SU876	Info@FLRVResort.com	Yes

FLORIDA PUBLIC SERVICE COMMISSION COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Tuesday, January 24, 2012, 9:30 a.m.

LOCATION: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148

DATE ISSUED: January 12, 2012

NOTICE

Persons affected by Commission action on certain items on this agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at this conference. These items are designated by double asterisks (**) next to the agenda item number.

To participate informally, affected persons need only appear at the agenda conference and request the opportunity to address the Commission on an item listed on agenda. Informal participation is not permitted: (1) on dispositive motions and motions for reconsideration; (2) when a recommended order is taken up by the Commission; (3) in a rulemaking proceeding after the record has been closed; or (4) when the Commission considers a post-hearing recommendation on the merits of a case after the close of the record. The Commission allows informal participation at its discretion in certain types of cases (such as declaratory statements and interim rate orders) in which an order is issued based on a given set of facts without hearing.

See Rule 25-22.0021, F.A.C., concerning Agenda Conference participation and Rule 25-22.0022, F.A.C., concerning oral argument.

Agendas, staff recommendations, vote sheets, transcripts, and conference minutes are available from the PSC Web site, http://www.floridapsc.com, by selecting Agenda & Hearings and Agenda Conferences of the FPSC. By selecting the docket number, you can advance to the Docket Details page and the Document Index Listing for the particular docket. If you have any questions, contact the Office of Commission Clerk at (850) 413-6770 or e-mail the clerk at Clerk@psc.state.fl.us.

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD), Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Commission Conference has a live video broadcast the day of the conference, which is available from the PSC's Web site. Upon completion of the conference, the video will be available from the Web site by selecting Agenda and Hearings and Audio and Video Event Coverage.

1**	Consent Agenda2
2	Docket No. 110041-EI – Petition for approval of Amendment No. 1 to generation services agreement with Gulf Power Company, by Florida Public Utilities Company.
3**	Docket No. 100459-EI – Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company
4**	Docket No. 110071-TP – Emergency Complaint of Express Phone Service, Inc. against Bellsouth Telecommunications, Inc. d/b/a AT&T Florida regarding interpretation of the parties' interconnection agreement
5**PAA	Docket No. 110272-EU – Joint petition for approval of a territorial agreement in Lake County between City of Leesburg, a Florida municipality and Sumter Electric Cooperative, Inc., a Florida Cooperative
6**PAA	Docket No. 110305-E1 – Initiation of formal proceedings of Complaint No. 1006767E of Edward McDonald against Tampa Electric Company, for alleged improper billing
7	Docket No. 110306-TP – Request for emergency relief and complaint of FLATEL, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida to resolve interconnection agreement dispute
8**	Docket No. 110312-EQ – Petition for approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company
9**PAA	Docket No. 110207-EI – 2011 depreciation study by Florida Public Utilities Company
10**	Docket No. 110320-GU – Petition for approval of Cast Iron/Bare Steel Pipe Replacement Rider (Rider CI/BSR), by Peoples Gas System
11**PAA	Docket No. 120005-WS – Annual reestablishment of price increase or decrease index of major categories of operating costs incurred by water and wastewater utilities pursuant to Section 367.081(4)(a), F.S

CASE

1**

Consent Agenda

PAA

A) Request for Cancellation of Certificates of Authority to Provide Telecommunications Service.

DOCKET NO.	COMPANY NAME	CERT. NO.	EFFECTIVE DATE
110318-TP	FL - CLEC LLC	8705	12/09/2011
	FL - CLEC LLC	8706	12/09/2011

Recommendation: The Commission should approve the action requested in the docket referenced above and close this docket.

CASE

2

Docket No. 110041-EI – Petition for approval of Amendment No. 1 to generation services agreement with Gulf Power Company, by Florida Public Utilities Company.

Critical Date(s): PPA Amendment is expressly conditioned upon the receipt of an

approval order by March 31, 2012.

Commissioners Assigned: All Commissioners

Prehearing Officer: Brisé

Staff: GCL: Robinson

RAD: Graves, Ma

ECR: Draper, Lee, Lester

(Oral Argument Requested. Participation at the Commission's discretion.)

<u>Issue 1:</u> Should the Commission grant FPUC and City of Marianna's requests for oral argument?

Recommendation: Yes. The Commission should grant FPUC and the City of Marianna's requests for oral argument. Oral argument should be limited to 5 minutes per party.

<u>Issue 2:</u> Should FPUC's Motion to Dismiss the City of Marianna's petition for formal hearing be granted?

<u>Recommendation:</u> Yes. The Commission should grant FPUC's Motion to Dismiss the City of Marianna's petition for formal hearing without prejudice.

Issue 3: Should the docket be closed?

Recommendation: Yes. If the Commission agrees with staff regarding Issue 2, then the City of Marianna's Petition Protesting Proposed Agency Action Order No. PSC-11-0269-PAA-EI and Requesting Formal Proceeding should be dismissed without prejudice. The docket should be closed, and a Consummating Order should be issued reviving Order No. PSC-11-0269-PAA-EI and making it final and effective.

CASE

3**

Docket No. 100459-EI — Petition for authority to implement a demonstration project consisting of proposed time-of-use and interruptible rate schedules and corresponding fuel rates in the Northwest Division on an experimental basis and request for expedited treatment, by Florida Public Utilities Company.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: GCL: Bennett

ECR: Draper, Lee

(Oral Argument Requested.)

<u>Issue 1:</u> Should the Commission grant the City of Marianna and FPUC's requests for oral argument?

Recommendation: Yes. The Commission should grant the requests for oral argument. Oral argument should be limited to 5 minutes per side.

<u>Issue 2:</u> Should FPUC's Motion to Dismiss the City of Marianna's petition for formal hearing be granted?

Recommendation: Yes. FPUC's Motion to Dismiss should be granted, with prejudice. The City has not pled facts sufficient to demonstrate that it has suffered an injury in fact or that the nature of these proceedings is designed to protect any injury the City has alleged. Moreover, the amended petition does not comply with Rule 28-106.201, F.A.C., because it does not contain "an explanation of how the petitioner's substantial interests will be affected by the agency determination," nor does it contain "a concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant a reversal or modification of the agency's proposed action." Proposed Agency Action Order, Order No. PSC-11-0112-TRF-EI should be deemed final and effective.

Issue 3: Should the docket be closed?

Recommendation: Yes. If the Commission agrees with staff regarding Issue 2, then the City of Marianna's Amended Petition Protesting Proposed Agency Action Order No. PSC-11-0112-TRF-EI should be dismissed with prejudice. Order No. PSC-11-0112-TRF-EI should become final and effective.

ITEM NO.

CASE

4**

Docket No. 110071-TP – Emergency Complaint of Express Phone Service, Inc. against Bellsouth Telecommunications, Inc. d/b/a AT&T Florida regarding interpretation of the parties' interconnection agreement.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: GCL: Tan

RAD: King

<u>Issue 1:</u> Should the Commission acknowledge Express Phone Service's December 27, 2011, Notice of Voluntary Dismissal without Prejudice?

<u>Recommendation:</u> Yes, the Commission should acknowledge Express Phone's December 27, 2011, Notice of Voluntary Dismissal without Prejudice.

Issue 2: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved, there is nothing further for the Commission to consider in this docket. Therefore, staff recommends that Docket No. 110071-TP be closed.

ITEM NO.

CASE

5**PAA

Docket No. 110272-EU – Joint petition for approval of a territorial agreement in Lake County between City of Leesburg, a Florida municipality and Sumter Electric Cooperative, Inc., a Florida Cooperative.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: B

Brisé

Staff: GCL: Barrera

ECR: Rieger

<u>Issue 1:</u> Should the Commission approve the joint petition of a territorial agreement in Lake County between Leesburg and SECO?

Recommendation: Yes. The joint petition of a territorial agreement between Leesburg and SECO should be approved.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected files a protest to the Commission's proposed agency action order within 21 days, the docket may be closed upon issuance of a consummating order.

ITEM NO.

CASE

6**PAA

Docket No. 110305-EI – Initiation of formal proceedings of Complaint No. 1006767E of Edward McDonald against Tampa Electric Company, for alleged improper billing.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: GCL: Robinson

ECR: Draper

SRC: Forsman, Hicks

Issue 1: Should the Commission grant Mr. McDonald the relief sought in his petition? **Recommendation:** No. Staff recommends that the Commission deny Mr. McDonald's petition as it does not demonstrate that (1) TECO's attempt to collect the \$915.94 violates any statutes, rules, or Orders; (2) TECO's calculation of the \$915.94 is incorrect; and (3) TECO is liable for the \$3,500 that the bank recalled because Mr. McDonald made the payments from his mother's account without proper authorization.

Issue 2: Should the docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected files a protest to the Commission's proposed agency action order within 21 days, the docket should be closed upon issuance of a consummating order.

CASE

7

Docket No. 110306-TP – Request for emergency relief and complaint of FLATEL, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida to resolve interconnection agreement dispute.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: GCL: Robinson

RAD: Hawkins, Lowery

(Oral Argument not Requested. Participation at Commission's Discretion.)

Issue 1: Should the Commission grant AT&T Florida's Motion to Dismiss?

Recommendation: Yes. Staff recommends that the Commission grant AT&T Florida's dismissal motion, as the Commission lacks authority to grant an injunction, and further, FLATEL's petition is moot.

Issue 2: Should the docket be closed?

Recommendation: Yes. If the Commission agrees with staff's recommendation for issue 1, then FLATEL's petition should be dismissed without prejudice and the docket should be closed.

ITEM NO.

CASE

8**

Docket No. 110312-EQ – Petition for approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company.

Critical Date(s): 01/26/12 (60-Day Suspension Date)

Commissioners Assigned: All Commissioners Prehearing Officer: Administrative

Staff: RAD: Garl, Brown

ECR: A. Roberts GCL: Robinson

<u>Issue 1:</u> Should the Commission suspend the revised renewable energy tariff filed by FPL?

Recommendation: Yes. The Commission should suspend the revised renewable energy tariff filed by FPL.

Issue 2: Should this docket be closed?

Recommendation: No. If the Commission approves Issue 1, this docket should remain open to allow staff adequate time to review the petition and make a recommendation to the Commission on the merits of the petition.

ITEM NO.

CASE

9**PAA

Docket No. 110207-EI – 2011 depreciation study by Florida Public Utilities Company.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Brown

Staff: ECR: L'Amoreaux, Wu, Cicchetti

GCL: Brown

<u>Issue 1:</u> Should the current depreciation rates for Florida Public Utilities Company be changed?

Recommendation: Yes. A review of the Company's plans and activities indicates a need for a revision to the currently prescribed depreciation rates.

Issue 2: What should be the implementation date for revised depreciation rates?

Recommendation: Staff recommends approval of the Company's proposed January 1, 2012, date of implementation for revised depreciation rates.

Issue 3: What are the appropriate depreciation rates?

Recommendation: The recommended lives, net salvages, reserves, resultant depreciation rates, and recovery schedules are shown on Attachment A of staff's memorandum dated January 11, 2012. The result is a decrease in annual depreciation expense of approximately \$227,343, based on the estimated January 1, 2012, investment shown on Attachment B of staff's memorandum dated January 11, 2012.

<u>Issue 4:</u> Should the Commission make any corrective reserve allocations between accounts?

<u>Recommendation</u>: Yes. Staff recommends the reserve allocations shown in Table 4-1 of staff's memorandum dated January 11, 2012. These allocations bring these accounts more in line with their theoretically correct reserve levels.

<u>Issue 5:</u> Should the current amortization of investment tax credits (ITCs) and flow back of excess deferred income taxes (EDITs) be revised to reflect the approved depreciation rates?

<u>Recommendation:</u> Yes. The current amortization of ITCs and the flowback of EDITs should be revised to match the actual recovery periods for the related property. The Company should file detailed calculations of the revised ITC amortization and flowback of EDITs at the same time it files its surveillance report covering the period ending December 31, 2011.

Issue 6: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected by the Commission's Proposed Agency Action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

ITEM NO.

CASE

10**

Docket No. 110320-GU – Petition for approval of Cast Iron/Bare Steel Pipe Replacement Rider (Rider CI/BSR), by Peoples Gas System.

Critical Date(s): 02/14/12 (60-Day Suspension Date)

08/14/12 (8-Month Effective Date)

Commissioners Assigned: All Commissioners Prehearing Officer: Administrative

Staff: ECR: Kummer, Higgins, Mouring, Slemkewicz, Trueblood

GCL: Brown

SRC: Black, Moses

<u>Issue 1:</u> Should PGS's petition for approval of a Cast Iron/Bare Steel Pipe Replacement Rider be suspended?

Recommendation: Yes.

Issue 2: Should this docket be closed?

Recommendation: No. The docket should remain open to allow further review and a subsequent recommendation on final action by the Commission.

CASE

11**PAA

Docket No. 120005-WS – Annual reestablishment of price increase or decrease index of major categories of operating costs incurred by water and wastewater utilities pursuant to Section 367.081(4)(a), F.S.

Critical Date(s): March 31, 2012 - Statutory Reestablishment Deadline

Commissioners Assigned: All Commissioners Prehearing Officer: Administrative

Staff: ECR: Fletcher, Maurey

GCL: Klancke

Issue 1: Which index should be used to determine price level adjustments?

Recommendation: The Gross Domestic Product Implicit Price Deflator Index is recommended for use in calculating price level adjustments. Staff recommends calculating the 2012 price index by using a fiscal year, four quarter comparison of the Implicit Price Deflator Index ending with the third quarter 2011.

<u>Issue 2:</u> What rate should be used by water and wastewater utilities for the 2012 Price Index?

Recommendation: The 2012 Price Index for water and wastewater utilities should be 2.41 percent.

Issue 3: How should the utilities be informed of the indexing requirements?

Recommendation: Pursuant to Rule 25-30.420(1), F.A.C., the Office of Commission Clerk, after the expiration of the Proposed Agency Action (PAA) protest period, should mail each regulated water and wastewater utility a copy of the PAA order establishing the index containing the information presented in Form PSC/ECR 15 (4/99) and Appendix A (Attachment 1 of staff's memorandum dated January 11, 2012). A cover letter from the Director of the Division of Economic Regulation should be included with the mailing of the order (Attachment 2 of staff's memorandum dated January 11, 2012). If a protest is filed and a hearing is held, the Office of Commission Clerk should mail each regulated water and wastewater utility a copy of the final order establishing the index which should contain the information presented in Form PSC/ECR 15 (4/99) and Appendix A (Attachment 1 of staff's memorandum dated January 11, 2012). A cover letter from the Director of the Division of Economic Regulation should be included with the mailing of the order (Attachment 2 of staff's memorandum dated January 11, 2012).

Issue 4: Should this docket be closed?

Recommendation: Yes, this docket should be closed upon the issuance of the Consummating Order if no substantially affected person files a timely protest within the 14-day protest period after issuance of the PAA Order. Any party filing a protest should be required to prefile testimony with the protest.

110071-JP

FLORIDA PUBLIC SERVICE COMMISSION CASE MANAGEMENT SYSTEM PARTICIPATING EMAIL ADDRESSES FOR DOCKET 110071

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida (f/k/a BellSouth Telecommunications) (11agr)		greg.follensbee@att.com	No
Express Phone Service		tom@dei.gccoxmail.com	No
Keefe Law Firm (10a)		vkaufman@kagmlaw.com	No

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FPSC,	CLK	COR	RESPONDENCE
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Commission Clerk

Subject: FPSC E-service of Document NO. 00202-12 in Docket 110071-TP (Email ID = 831457)

The document described below has been issued by the Florida Public Service Commission and filed with the Office of Commission Clerk. As a party of record at the time of issuance or, if applicable, an interested person, you are being provided this information electronically.

Should you have any problems accessing this document, please contact the Office of Commission Clerk by reply e-mail. Do not alter the subject line, as it is used for processing.

DOCUMENT NO.	DESCRIPTION
00202-12 (4 pgs.)	RECOM for 01/24/12 Commission conference, Item, from GCL and RAD staff.

Matiida Sanders	Psc-11-0674	- PCO - TP	1100	071-	M	-
From: Sent: To: Subject:	Diamond Williams Wednesday, December 14, 20 CLK - Orders / Notices; Lee Er Order / Notice Submitted				- <u>*</u>	D.
Date and Time: Docket Number: Filename / Path: Order Type:	12/14/2011 12:06:00 PM 110071-TP 110071.Ord Deny Request Abe Signed / Hand Deliver	eyance.doc		COMMISSION	1 DEC 14 PM 12:	RECEIVED-FPSO
Order denying request	or abeyance. Signed by Comm	issioner Balbis.		200	12:5)Sd.
Thank you,		FALSO - U				
Diamond Williams Deputy Clerk II Office of General C	ounsel	FAXED - U MAILED - O EMAILED - 3	FPSC, CLK			NDENCE Consumer

Florida Public Service Commission Email: diwillia@psc.state.fl.us

Phone: 850-413-6094

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida (f/k/a BellSouth Telecommunications) (11agr)		greg. follensbee@att.com	No
Express Phone Service		tom@dei.gccoxmail.com	No
Keefe Law Firm (10a)		vkaufman@kagmlaw.com	No

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Commission Clerk

Subject: FPSC E-service of Document NO. 08938-11 in Docket 110071-TP (Email ID = 221491)

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DOCUMENT NO.	DESCRIPTION
08938-11 (3 pgs.)	Order PSC-11-0574-PCO-TP denying
	Express Phone's request for abeyance.

Matilda Sanders

PSC-11-0325-CO- YP

From:

Gloria Ross

Sent:

Monday, August 01, 2011 10:41 AM

To: Cc: **CLK - Orders / Notices** Lee Eng Tan; Adam Teitzman

Subject:

Order / Notice Submitted

Date and Time: **Docket Number:** 8/1/2011 10:39:00 AM 110071-TP; 110087-TP

Filename / Path:

Gloría Ross

850-413-6214

Commission Deputy Clerk II Office of the General Counsel

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FPSC, CLK - CORRESPONDENCE
FPSC, CLK - CORRESPONDENCE Administrative Parties Consumer
DOCUMENT NO. 013-11

DISTRIBUTION:

CONSUMMATING ORDER

/110071 -TP

Florida Public Service Commission

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida (f/k/a BellSouth Telecommunications) (11agr)		greg.follensbee@att.com	No
Express Phone Service		tom@dei.gccoxmail.com	No
Express Phone Service, Inc.		tom@dei.gccoxmail.com	No
Keefe Law Firm (10a)		vkaufman@kagmlaw.com	No
Keefe Law Firm (11)		vkaufman@kagmlaw.com	No
NewPhone, Inc.	TX254	jimdry@razorline.com	No

Commission Clerk

Subject: Order or Notice issued by the Public Service Commission (Email ID = 290922)

Attachments: 05358-11.pdf

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Thank you.

Matilda Sanders

PSC-11-0291-PAA-TP

From:

Gloria Ross

Sent:

Tuesday, July 05, 2011 5:19 PM

To:

CLK - Orders / Notices

Cc:

Lee Eng Tan; Adam Teitzman

Subject:

Order / Notice Submitted

Date and Time: Docket Number:

7/5/2011 5:11:00 PM

Filename / Path:

110071-TP; 110087-TP I:\2011\110071\110071.110087.PAA Order.tlt.doc

ORDER DENYING SUMMARY FINAL ORDER AND NOTICE OF PROPOSED AGENCY ACTION ORDER DENYING ADOPTION OF IMAGE ACCESS INTERCONNECTION, SETTING DOCKET NO. 110071-TP FOR HEARING

Gloría Ross
Commission Deputy Clerk II
Office of the General Counsel
Florida Public Service Commission
850-413-6214

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FPSC, CLK - CORRESPONDENCE
Administrative Parties Consumer
DOCUMENT NO. 01731-11
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PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida (f/k/a BellSouth Telecommunications) (11agr)	-	greg.follensbee@att.com	No
Express Phone Service		tom@dei.gccoxmail.com	No
Express Phone Service, Inc.		tom@dei.gccoxmail.com	No
Keefe Law Firm (10a)		vkaufman@kagmlaw.com	No
Keefe Law Firm (11)		vkaufman@kagmlaw.com	No
NewPhone, Inc.	TX254	jimdry@razorline.com	No

Commission Clerk

Subject:

Order or Notice issued by the Public Service Commission (Email ID = 293809)

Attachments: 04625-11.pdf

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Thank you.

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida (f/k/a BellSouth Telecommunications)		greg.follensbee@att.com	No
(11agr) Express Phone Service		tom@dei.gccoxmail.com	No
Express Phone Service, Inc.		tom@dei.gccoxmail.com	No
Keefe Law Firm (10a)		vkaufman@kagmlaw.com	No
Keefe Law Firm (11)		vkaufman@kagmlaw.com	No
NewPhone, Inc.	TX254	jimdry@razorline.com	No

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110071-TPV

FPSC, CLK - CORRESPONDENCE

Administrative Parties Consumer

DOCUMENT NO. 0 | 731-11

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Order or Notice issued by the Public Service Commission (Email ID = 724330)

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Thank you.

Diamond Williams

PSC-11-0180-PCO-TP

From:

Shalonda Hopkins

Sent:

Wednesday, March 30, 2011 11:09 AM

To: Cc: CLK - Orders / Notices Lee Eng Tan; Terry Holdnak

Subject:

Order / Notice Submitted

Date and Time: **Docket Number:**

Order Type:

3/30/2011 11:06:00 AM 110071-TP

Filename / Path:

110071 Procedural Order.tlt.doc

Signed / Hand Deliver

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COMMISSION CLERK

ORDER DENYING MOTION FOR EMERGENCY CONSIDERATION

Signed by Commissioner Balbis

Shalonda Hopkins Commission Deputy Clerk II Office of the General Counsel Florida Public Service Commission

Tel: (850) 413-6630

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FPSC, CLK - CORRESPONDENCE Administrative Parties Consumer DOCUMENT NO. 0173-11 DISTRIBUTION:

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AT&T Florida (f/k/a BellSouth Telecommunications) (11agr)		greg.follensbee@att.com	No
Express Phone Service		tom@dei.gccoxmail.com	No
Keefe Law Firm (10a)		vkaufman@kagmlaw.com	No

Commission Clerk

Subject:

Order or Notice issued by the Public Service Commission (Email ID = 923246)

Attachments: 02071-11.pdf

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Thank you.

Matilda Sanders

110071-JP

From:

Gloria Ross

Sent:

Subject:

Wednesday, March 16, 2011 4:06 PM

To: Cc: **CLK - Orders / Notices** Lee Eng Tan; Adam Teitzman Order / Notice Submitted

Date and Time:

3/16/2011 4:04:00 PM

Docket Number:

110071-TP

Filename / Path:

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Notice Type:

Memo for Issuance

FPSC, CLK - CORRESPONDENCE Administrative Perties Consumer DOCUMENT NO. 0131-1 DISTRIBUTION: _

NOTICE OF TELEPHONIC MEETING

Gloria Ross Commission Deputy Clerk II Office of the General Counsel Florida Public Service Commission 850-413-6214

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PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida (f/k/a BellSouth Telecommunications)		greg.follensbee@att.com	No
(11agr)			
Express Phone Service		tom@dei.gccoxmail.com	No
Keefe Law Firm (10a)		vkaufman@kagmlaw.com	No

Commission Clerk

Subject:

Order or Notice issued by the Public Service Commission (Email ID = 088639)

Attachments: 01736-11.pdf

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Thank you.

COMMISSIONERS: ART GRAHAM, CHAIRMAN LISA POLAK EDGAR RONALD A. BRISÉ EDUARDO E. BALBIS JULIE 1. BROWN STATE OF FLORIDA



OFFICE OF COMMISSION CLERK ANN COLE COMMISSION CLERK (850) 413-6770

Hublic Service Commission

March 16, 2011

ADMINISTRATIVE

Vicki Gordon Kaufman, Esquire Keefe, Anchors, Gordon and Moyle, P.A. 118 N. Gadsden Street Tallahassee, Florida 32301

Re: Docket No. 110071-TP

Dear Ms. Kaufman:

This will acknowledge receipt of an emergency complaint of Express Phone Service, Inc. against Bellsouth Telecommunications, Inc. d/b/a AT&T Florida regarding interpretation of the parties' interconnection agreement, which was filed in this office on March 15, 2011, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Office of Commission Clerk

DOCUMENT NUMBER-DATE

<u>Section 1 - Office of Commission Clei</u>

Docket No. 110071-TP Date Docketed: 03/15/2011 Title: Emergency Complaint of Express Phone Service, Inc. against Bellsouth Telecommunications, Inc. d/b/a AT&T Florida regarding interpretation of the parties' interconnection Company: BellSouth Telecommunications, Inc. d agreement. Express Phone Service, Inc. FESC, CLK - CORRESPONDENCE VAdministrative Parties Consumer DOCUMENT NO. 0/731-1/ DISTRIBUTION: Official Filing Date: __ Expiration: Last Day to Suspend: _ Referred to: ADMAPA CLK**ECR** (GCL) PIF RAD ("()" indicates OPR) X Section 2 - OPR Completes and returns to CLK in 10 workdays. Time Schedule <u>Program Module</u> A20(e) WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770 Staff Assignments Due Dates OPR Staff 0 Current CASR revision level Previous Current 1. 2. 3. 4. 5. 6. 7. Staff Counsel 8. 9. 10. **OCRs** 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22, 23. 24. 25. 26. 27. 28. 29. Recommended assignments for hearing 30. and/or deciding this case: 31. 32. Full Commission ___Commission Panel 33. Hearing Examiner Staff 34. 35. Date filed with CLK: ___ 36. 37. Initials OPR 38. Staff Counsel 39. 40 Section 3 - Chairman Completes Assignments are as follows: - Hearing Officer(s) Prehearing Officer Hrg Commissioners Staff Commissioners ADM Exam BI BL ALL GH ED B₩ GH ED ΒI BW Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case. Approved: Where one Commissioner, a Hearing Examiner or a Staff Member is Date: assigned the full Commission decides the case.

PSC/CLK015-C (Rev. 04/07)

* COMPLETED EVENTS

Docket No. 110071-TP Date Docketed: 03/15/2011 Title:

Emergency Complaint of Express Phone Service, Inc. against Bellsouth Telecommunications, Inc. d/b/a AT&T Florida

regarding interpretation of the parties' interconnection agreement.

Company: BellSouth Telecommunications, Inc. d

Express Phone Service, Inc.

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Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Exam

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

BW

Approved: Date:

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03/17/2011

PSC/CLK015-C (Rev. 04/07)

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Docket No. <u>110071-TP</u> Date Docketed: <u>03/15/2011</u> Title:

Emergency Complaint of Express Phone Service, Inc. against Bellsouth Telecommunications, Inc. d/b/a AT&T Florida regarding interpretation of the parties' interconnection

agreement.

Company: BellSouth Telecommunications, Inc. d

Express Phone Service, Inc.

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PSC/CLK015-C (Rev. 04/07)

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Date:

04/29/2011

Docket No. <u>110071-TP</u> Date Docketed: <u>03/15/2011</u> Title:

Emergency Complaint of Express Phone Service, Inc. against Bellsouth Telecommunications, Inc. d/b/a AT&T Florida

BellSouth Telecommunications, Inc. d

Express Phone Service, Inc.

regarding interpretation of the parties' interconnection agreement.

Referred to:			ADM	APA	CLK	ECR	(GCL)	PIF	RAD	SSC	
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Section 2 - OPR	<u>Completes</u> and returns t	o CLK i	n 10 work	days.				Time S	che <u>dule</u>		
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		1.	Staff Re	commenda	tion			***************************************	05/12/2013	06/02	2/2011
		2.	Agenda						05/24/201	06/14	4/2011
		3.	Standard						06/13/201		5/2011
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Approved:

Date:

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

* COMPLETED EVENTS

GH/MM 5-23-11

Docket No. 110071-TP Date Docketed: 03/15/2011 Title:

Emergency Complaint of Express Phone Service, Inc. against

Bellsouth Telecommunications, Inc. d/b/a AT&T Florida

regarding interpretation of the parties' interconnection agreement.

BellSouth Telecommunications, Inc. d

Express Phone Service, Inc.

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PSC/CLK015-C (Rev. 04/07)

the identical panel decides the case.

assigned the full Commission decides the case.

Where panels are assigned the senior Commissioner is Panel Chairman:

Where one Commissioner, a Hearing Examiner or a Staff Member is

* COMPLETED EVENTS

Approved: Date:

05/23/2011 Statt Rec.