

FLORIDA PUBLIC SERVICE COMMISSION

SPECIAL COMMISSION CONFERENCE AGENDA

VOTE SHEET

DATE: February 21, 1997

RE: DOCKET NO. 960833-TP - Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996.

DOCKET NO. 960846-TP - Petition by MCI Telecommunications Corporation and MCI Metro Access Transmission Services, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996.

DOCKET NO. 960916-TP - Petition by American Communications Services, Inc. and American Communications Services of Jacksonville, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Susan Clark*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

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DOCUMENT NUMBER-DATE

02266 HAR-35

FPSC-RECORDS/REPORTING

REMARKS/DISSENTING COMMENTS:

PSC/RAR33 (5/90)

COMMISSIONER GARCIA PARTICIPATED IN THE VOTE VIA VIDEO TELECONFERENCING FROM MIAMI. IN HIS ORAL VOTE, HE: CONCURRED WITH THE MAJORITY / DISSENTED. COMMISSIONER GARCIA WILL SIGN THE ORIGINAL VOTE SHEET UPON HIS RETURN TO TALLAHASSEE.

Issue 1: Should BellSouth's Motion for Reconsideration of Commission Order No. PSC-96-1579-FOF-TP be granted?

Recommendation: No. BellSouth has failed to identify any point of fact or law that the Commission overlooked or failed to consider in rendering Order No. PSC-96-1579-FOF-TP. BellSouth's Motion for Reconsideration should, therefore, be denied. The Commission should clarify the description of the channelization element and clarify that prices ordered for the channelization system apply to the DS1 level to voice grade system. The Commission should clarify its ruling on PIC change requests. The Commission should grant BellSouth's request to extend the time for providing CABS-formatted billing to 180 days from the issuance of Order No. PSC-96-1579-FOF-TP. The Commission should correct Order No. PSC-96-1579-FOF-TP to reflect that the \$0.0005 termination rate set forth on page 115 of the Order applies to common transport rather than to dedicated transport.

**MODIFIED** *Approved with clarification that promotions of less than 90 days may be resold at the wholesale discount applied to the ordinary retail rate for the retail service involved in the promotion, not at the promotional rate. Further, the order on reconsideration will highlight the requirements of the FCC and the Telecommunications Act of 1996 regarding slamming and indicate that the Commission will be reviewing the rules on slamming.*

Issue 2: Should AT&T's Cross Motion for Reconsideration of Order No. PSC-96-1579-FOF-TP be granted?

Recommendation: AT&T's Cross Motion for Reconsideration should be granted in part and denied in part. Specifically, the Commission should reconsider its decision and order BellSouth to establish Nonrecurring Charges that do not include duplicate charges or charges for functions or activities that AT&T does not need when two or more network elements are combined in a single order. The Commission should Order BellSouth to establish Recurring Charges that do not include duplicate charges. BellSouth should be ordered to notify the Commission when a rate is set that excludes duplicated or avoided charges. The report should be filed within 30 days of the rate being established and should specify the elements being combined and the rates or charges, recurring and nonrecurring, for that combination. The Commission should, on its own motion, reconsider its decision on these points with respect to MCI. AT&T's Motion should be denied on all other arguments presented.

**APPROVED**

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Issue 3: Should the Commission amend Part V.E. of Order No. PSC-96-1579-FOF-TP?

Recommendation: Yes. The Commission should amend Part V.E. of Order No. PSC-96-1579-FOF-TP.

**APPROVED**

Issue 4: Should this docket be closed?

Recommendation: No. This docket should remain open until the parties have filed their signed arbitration agreement, and the Commission has completed its review of BellSouth's cost studies that were required to be filed pursuant to the Order in this proceeding.

**APPROVED**