

VOTE SHEET

OCTOBER 7, 1997

RE: DOCKET NO. 970841-TP - Complaint by MCI Telecommunications Corporation against GTE Florida Incorporated regarding anti-competitive practices related to excessive intrastate switched access pricing.

Issue 1: Should the Commission grant GTE Florida Incorporated's motion to dismiss the complaint of MCI Telecommunications Corporation?

Recommendation: Yes. MCI's complaint seeks relief that is beyond the Commission's jurisdiction to provide in this case, as set forth in Section 364.163, Florida Statutes. Thus, MCI has failed to state a cause of action upon which relief can be granted.

DEFERRED

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission accepts staff's recommendation in Issue 1 to grant GTEFL's motion to dismiss MCI's complaint, this docket should be closed.

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

Staff to advise

DOCUMENT NUMBER-DATE
10311 OCT-86
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