

VOTE SHEET

March 13, 2007

Docket No. 060822-TL – Petition for relief from carrier-of-last-resort (COLR) obligations pursuant to Florida Statutes 364.025(6)(d) for two private subdivisions in Nocatee development, by BellSouth Telecommunications, Inc.

Issue 1: Should the Commission grant BellSouth’s Petition for relief of its carrier-of-last-resort obligation, pursuant to Section 364.025(6)(d), Florida Statutes, for the provision of service at the Riverwood and Coastal Oaks subdivisions in the development known as Nocatee located in Duval and St. Johns Counties?

Recommendation: No. BellSouth has not made a prima fascia case for good cause, and the Commission should deny BellSouth’s Petition for relief of its carrier-of-last-resort obligations for the provision of basic local telecommunications service to the Riverwood and Coastal Oaks subdivisions in the development known as Nocatee, located in Duval and St. Johns Counties. This decision, however, does not preclude BellSouth, as the carrier-of-last-resort, from using the tools that may be available to it in addressing the problem of providing uneconomic service to the identified locations. For example, BellSouth may seek recovery of a portion of its costs for the extension of facilities pursuant to Rule 25-4.067, F.A.C., and the line extension provisions set forth in its tariffs.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Katrina J. McPurrian
Jim Ed
St. J. C. F.

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

02276 MAR 13 08

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Issue 2: 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 interests 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. If the Commission's Order is not protested this docket should be closed administratively upon issuance of the Consummating Order.

APPROVED