

VOTE SHEET

May 5, 2009

Docket No. 080701-TP – Emergency complaint and petition requesting initiation of show cause proceedings against Verizon Florida, LLC for alleged violation of Rules 25-4.036 and 25-4.038, Florida Administrative Code, by Bright House Networks Information Services (Florida) LLC and Bright House Networks, LLC.

Issue 1: Should the Commission grant Verizon’s Request for Oral Argument on its Motion to Dismiss Complaint and Petition or in the Alternative for Summary Final Order?

Recommendation: Yes. Staff recommends that the Commission grant Verizon’s Request for Oral Argument on its Motion to Dismiss Complaint and Petition or in the Alternative for Summary Final Order because staff believes that it might benefit the Commission to hear oral argument on these matters. If the Commission grants oral argument, staff recommends allowing five minutes for each party.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column: Neil A. [unclear], Katrina J. McMurrian, Lynn Edger, [unclear], and [unclear].

Empty lines in the dissenting column.

REMARKS/DISSENTING COMMENTS: Chairman Carter participated in the conference by telephone. He will sign the vote sheet upon his return to the office.

DOCUMENT NUMBER-DATE

04337 MAY-6 8

FPSC-COMMISSION CLERK

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Issue 2: Should the Commission grant Verizon's Motion for Summary Final Order?

Recommendation: Yes. Staff recommends that the Commission grant the Verizon Motion for Summary Final Order.

APPROVED with the understanding that Verizon has agreed to conduct an internal review regarding the installations and determine as to whether they may wish to go back and do an inspection to ensure that those connections are, in fact, safe.

Issue 3: Should the Commission grant Verizon's Motion to Dismiss?

Recommendation: No. Staff recommends that, if the Commission grants the Verizon Motion for Summary Final Order in Issue 2, as recommended by staff, this issue will be moot.

APPROVED with the understanding that Verizon has agreed to conduct an internal review regarding the installations and determine as to whether they may wish to go back and do an inspection to ensure that those connections are, in fact, safe.

Issue 4: Should this docket be closed?

Recommendation: Yes. If the Commission grants Verizon's Motion for Summary Final Order, this docket should be closed.

APPROVED with the understanding that Verizon has agreed to conduct an internal review regarding the installations and determine as to whether they may wish to go back and do an inspection to ensure that those connections are, in fact, safe.