

VOTE SHEET

May 5, 2009

Docket No. 090161-TL – Investigation and determination of appropriate method for issuing out-of-service credits to all affected customers of ITS Telecommunications Systems, Inc.

Issue 1: Should the Commission approve ITS Telecommunications Systems, Inc.'s actions wherein the company issued a refund to the affected customers in the March and April 2009 billing cycles, for failing to **issue** automatic rebates to customers who experienced out-of-service conditions for more than 24 hours, as required by Rule 25-4.110(6), F.A.C., from March 2006 through September 2008?

Recommendation: Yes, the Commission should approve ITS' refund actions.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Neil A. De...
Katrina J. Mussian
[Signature]
[Signature]

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

04338 MAY-6 8

FPSC-COMMISSION CLERK

Vote Sheet

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Issue 2: Should this docket be closed?

Recommendation: The Order issued from this recommendation will be a proposed agency action. Thus, the Order will become final and effective upon issuance of the Consummating Order. If no person whose substantial interests are affected timely files a protest within 21 days of issuance of this Order, this docket should be closed upon issuance of the Consummating Order.

APPROVED