

VOTE SHEET

October 26, 2010

**Docket No. 100175-TL** – Complaint against AT&T d/b/a BellSouth for alleged violations of various sections of Florida Administrative Code, Florida Statutes, and AT&T regulations pertaining to billing of charges and collection of charges, fees, and taxes.

**Docket No. 100312-EI** – Complaint against Florida Power & Light Company for alleged violations of various sections of Florida Administrative Code, Florida Statutes, and FPL tariffs pertaining to billing of charges and collection of charges, fees, and taxes. (Deferred from the October 12, 2010 Commission Conference, revised recommendation filed.)

**Issue 1:** Should AT&T's Motion to Dismiss be Granted?

**Recommendation:** Yes. Petitioner's Complaint fails to state a claim upon which this Commission can grant relief. Accordingly, the Complaint should be dismissed with prejudice.

**DEFERRED**

**Issue 2:** Should Florida Power & Light Company's Motion to Dismiss be Granted?

**Recommendation:** Yes. Petitioner's Complaint fails to state a claim upon which this Commission can grant relief. Accordingly, the Complaint should be dismissed with prejudice.

**DEFERRED**

**COMMISSIONERS ASSIGNED:** All Commissioners

**COMMISSIONERS' SIGNATURES**

**MAJORITY**

**DISSENTING**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REMARKS/DISSENTING COMMENTS:** Deferred to a later Commission Conference

DOCUMENT NUMBER-DATE  
08911 OCT 26 09  
FPSC-COMMISSION CLERK

Vote Sheet

October 26, 2010

Docket No. 100175-TL – Complaint against AT&T d/b/a BellSouth for alleged violations of various sections of Florida Administrative Code, Florida Statutes, and AT&T regulations pertaining to billing of charges and collection of charges, fees, and taxes.

Docket No. 100312-EI – Complaint against Florida Power & Light Company for alleged violations of various sections of Florida Administrative Code, Florida Statutes, and FPL tariffs pertaining to billing of charges and collection of charges, fees, and taxes. (Deferred from the October 12, 2010 Commission Conference, revised recommendation filed.)

(Continued from previous page)

**Issue 3:** Should these dockets be closed?

**Recommendation:** If the Commission agrees with staff in Issues 1 and 2, then Petitioner's Complaints should be dismissed with prejudice, and these dockets should be closed.

**DEFERRED**