FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

MARCH 24, 1998

RE: DOCKET NO. 980155-TP - Petition of Supra Telecommunications &
Information Systems for generic proceeding to arbitrate rates, terms, and
conditions of interconnection with BellSouth Telecommunications, Inc., or,
in the alternative, petition for arbitration of interconnection agreement.

Issue 1: Should the Commission grant BellSouth's Motion to Dismiss?
Recommendation: Yes. There is no authority under the Act allowing the
Commission to conduct a generic arbitration. Also, Supra is currently
bound by a Commission-approved agreement addressing resale, unbundling, and
interconnection. Nothing in the Act provides for a request for arbitration
while the matters at issue are governed by an approved agreement.
Furthermore, staff believes that the allegations against BellSouth raised
in Supra's Petition would be best addressed in a complaint proceeding.
Staff notes that Supra has filed a separate complaint against BellSouth,
Docket No. 980119-TP. Even if all of Supra's allegations are taken as true
and viewed in the light most favorable to the petitioner, Supra has failed
to state a cause of action upon which the Commission can grant relief.
Staff recommends, therefore, that BellSouth's Motion to Dismiss be granted.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS:

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PSC/RAR33 (5/90)

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interconnection with BellSouth Telecommunications, Inc., or, in the
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Issue 2: Should this docket be closed?
Recommendation: Yes. If the Commission approves staff's recommendation in
Issue 1, no other matter will remain for the Commission to address. This
docket should, therefore, be closed.

APPROVED