

VOTE SHEET

JULY 6, 1999

RE: DOCKET NO. 980986-TP - Request for arbitration concerning complaint of Intermedia Communications, Inc. against GTE Florida Incorporated for breach of terms of Florida partial interconnection agreement under Sections 251 and 252 of the Telecommunications Act of 1996, and request for relief.

Issue 1: Under their Interconnection Agreement, are Intermedia Communications, Inc. and GTE Florida Incorporated required to compensate each other for transport and termination of traffic to Internet Service Providers? If so, what action, if any, should be taken?

Recommendation: Yes. The record establishes that neither party intended to exclude ISP traffic from "local traffic" as that term is defined in their Interconnection Agreement. The Commission should require GTE Florida Incorporated to compensate Intermedia Communications, Inc., in accordance with the parties' Interconnection Agreement, for the entire period the balance owed is outstanding, as well as for the remaining life of the contract.

**APPROVED**

COMMISSIONERS ASSIGNED: DS CL JC

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures: Susan Clark, J. Terry Wear]*

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REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

08085 JUL-6 99

FPSC-RECORDS/REPORTING

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Issue 2: Should this docket be closed?

Recommendation: Yes.

**APPROVED**