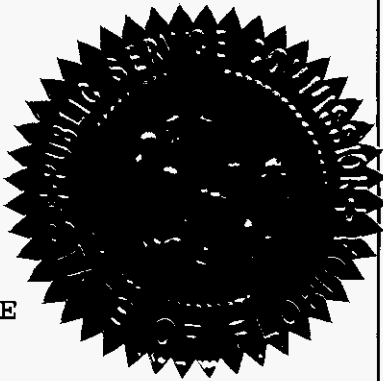


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of: DOCKET NO. 080641-TP

Initiation of rulemaking to
amend and repeal rules in
Chapters 25-4 and 25-9, F.A.C.



PROCEEDINGS: AGENDA CONFERENCE
ITEM NO. 5

COMMISSIONERS
PARTICIPATING: CHAIRMAN MATTHEW M. CARTER, II
COMMISSIONER LISA POLAK EDGAR
COMMISSIONER KATRINA J. McMURRIAN
COMMISSIONER NANCY ARGENZIANO
COMMISSIONER NATHAN A. SKOP

DATE: Tuesday, August 18, 2009

TIME: Commenced at 3:37 p.m.
Concluded at 3:40 p.m.

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: MARY ALLEN NEEL, RPR, FPR

DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

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P R O C E E D I N G S

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2 CHAIRMAN CARTER: Commissioners, while staff
3 is getting ready, while staff is getting ready,
4 just for the record, just for the record, for Item
5 5, for Item 5, Issue 2 of Item 5 has been deferred
6 until the September 15, 2009 agenda conference.
7 Again, for the record, on Item 5, Issue 2 of Item 5
8 has been deferred until the September 15, 2009
9 agenda conference.

10 Staff, you are recognized for Issue 5, or Item
11 5.

12 MS. COWDERY: Good afternoon, Commissioners.
13 Kathryn Cowdery on behalf of Commission legal
14 staff.

15 Item 5 addresses the six telecommunications
16 service quality rules remaining for consideration
17 from Docket No. 080641, initiation of rulemaking to
18 amend and appeal rules in Chapter 25-4 and 25-9.
19 The Commission proposed these rules for adoption in
20 the January 23, 2009 Florida Administrative Weekly
21 and gave interested persons the opportunity to
22 submit written comments or to request a hearing.
23 The ILECs, which we've referred to as joint
24 petitioners in the past, and the Communication
25 Workers of America filed written comments

1 concerning the five service quality rules which are
2 addressed in Issue 1.

3 As has been mentioned, the preferred carrier
4 fees rule, which is addressed in Issue 2, has been
5 deferred to the September 15, 2009 agenda
6 conference.

7 Participation of this item is limited to
8 Commissioners and staff. Staff is available to
9 answer any questions.

10 CHAIRMAN CARTER: Thank you, staff.
11 Commissioners, we are now on Issue 5, and staff has
12 reiterated that -- on Item 5, staff has reiterated
13 that Issue 2 of Item 5 has been deferred until the
14 September 15, 2009 agenda conference.

15 And with that, let's proceed on the issue as
16 presented. Any questions? Any comments?

17 Okay. No questions, no comments. What's your
18 pleasure, Commissioners, on Item 5?

19 COMMISSIONER EDGAR: Mr. Chairman, if there
20 are no questions, and I have none, I can move the
21 staff recommendation on the remaining issues that
22 are before us, which I believe are Issues 1 and 3.

23 COMMISSIONER SKOP: Second.

24 CHAIRMAN CARTER: Commissioners, it has been
25 moved and properly seconded on Item 5 as it relates

1 to the remaining issues. Is there any further
2 discussion? Any debate?

3 Hearing none, all in favor let it be known by
4 the sign of "aye."

5 (Simultaneous affirmative responses.)

6 CHAIRMAN CARTER: All those opposed, like
7 sign.

8 Show it done.

9 Okay. Commissioners, let's do this. Let's
10 take -- before we go down to the home stretch --

11 MS. COWDERY: Commissioner.

12 CHAIRMAN CARTER: Yes, ma'am. Yes, sir. Yes,
13 ma'am.

14 MS. COWDERY: We just wanted to point out in
15 Issue 3 that we are not going to be closing the
16 docket because of Issue 2 remaining open.

17 CHAIRMAN CARTER: Right. I thought that would
18 be kind of self-explanatory. But on Issue 3, the
19 answer would be no, because we have deferred Item
20 2, and so --

21 COMMISSIONER EDGAR: It will come back before
22 us.

23 CHAIRMAN CARTER: It can come back before us.

24 COMMISSIONER EDGAR: It will come back before
25 us as described, yes.

1 CHAIRMAN CARTER: So it will definitely be
2 back September 15th.

3 (Conclusion of consideration of Item 5.)
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CERTIFICATE OF REPORTER


STATE OF FLORIDA:

COUNTY OF LEON:

I, MARY ALLEN NEEL, Registered Professional Reporter, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 5 are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 29th day of August, 2009.


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