

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

November 10, 2009

Docket No. 090470-TI – Petition for waiver of Rule 25-4.118, F.A.C., to allow CIMCO Communications, Inc. to transfer certain assets and customer base to Comcast Phone of Florida, LLC d/b/a Comcast Digital Phone.

Issue 1: Should the Commission approve the request for waiver of the carrier selection requirements of Rule 25-4.118, F.A.C., in the transfer of CIMCO Communications, Inc.’s customers to Comcast Phone of Florida, LLC d/b/a Comcast Digital Phone?

Recommendation: Yes, the Commission should approve the request for waiver of the carrier selection requirements of Rule 25-4.118, F.A.C. Any waiver approved by the Commission should only apply to the specific set of customers identified in the petition. The petitioners should be required to provide the Commission notification of the actual date when the transaction is consummated. If for any reason the transaction is not consummated, any waiver approved by the Commission shall be null and void.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Handwritten signatures in the majority column, including 'David E. Klement' and several other illegible signatures.

REMARKS/DISSENTING COMMENTS:

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**Issue 2:** Should this docket be closed?

**Recommendation:** If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed administratively.

**APPROVED**