

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for review of rates)	DOCKET NO. 860723-TP
and charges paid by PATS providers to)	ORDER NO. 21813
LECs)	ISSUED: 8-31-89
_____)		

ORDER DENYING REQUEST FOR ORAL ARGUMENT

On August 26, 1988, the following parties entered into a Stipulation to resolve the issues in this docket: Florida Pay Telephone Association, Inc. (FPTA), Southern Bell Telephone and Telegraph Company (Southern Bell), Central Telephone Company of Florida (Centel), GTE Florida Incorporated (GTEFL), United Telephone Company of Florida (United) and AT&T Communications of the Southern States, Inc. (ATT-C). Upon review of this Stipulation, the Commission voted to defer its consideration of the issues addressed in the Stipulation until the September 6, 1988, Agenda Conference.

During the September 6, 1988, Agenda Conference, the Commission voted to reject the Stipulation and continue with the hearing scheduled for September 8 and 9, 1988. However, at that hearing, upon further review of the Stipulation and the issues set forth in the Prehearing Order the Commission reconsidered its decision to reject the Stipulation. Upon reconsideration the Commission voted to adopt all portions of the Stipulation as resolution of all pending issues except as to those issues identified in paragraphs 3 and 4 of the Stipulation. Accordingly, the Commission issued Order No. 20129 accepting certain portions of the Stipulation. The Order established that the terms of the Stipulation shall remain in effect for a period of two years from September 8, 1988, or until September 8, 1990. As to those issues identified in paragraphs 3 and 4 of the Stipulation the Commission received evidence and testimony upon which it made a final determination reflected in Order No. 20610, issued January 17, 1989.

On February 1, 1989, FPTA filed a Motion for Clarification and/or Reconsideration of Order No. 20610. Timely responses to FPTA's motion were filed by GTEFL, Southern Bell and United. FPTA's motion asked the Commission to reconsider or clarify the following portions of Order No. 20610: (1) the historical basis of the \$1.00 surcharge; and (2) the requirement that all 0- and 0+ intraLATA traffic be routed to the applicable LEC from nonLEC pay telephones. All three responses to FPTA's motion urged that it be denied. By Order No. 21614, issued July 27, 1989, the Commission denied FPTA's motion. An

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additional portion of Order No. 21614 was a Notice of Proposed Agency Action (PAA).

On August 11, 1989, FPTA filed a document with this Commission entitled "Motion to Reconsider, Clarify, or Stay Portions of Order No. 21614," along with a Request for Oral Argument on this motion. FPTA did not protest the PAA portion of Order No. 21614, nor did any other party. Timely responses to FPTA's motion were filed by Southern Bell and United.

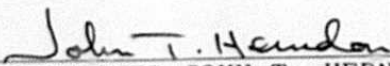
As Prehearing Officer, I have considered FPTA's Request for Oral Argument and hereby announce my decision to deny FPTA's Request. I do not believe that oral argument would aid the Commission's understanding of the issues in this docket, nor do I believe oral argument will contribute to the expeditious resolution of these proceedings.

Therefore, based on the foregoing, it is

ORDERED by Commissioner John T. Herndon, as Prehearing Officer, that the Request for Oral Argument filed by Florida Pay Telephone Association, Inc. on August 11, 1989, is hereby denied as set forth in the body of this Order. It is further

ORDERED that this docket remain open.

By ORDER of Commissioner John T. Herndon, this 31st day
of AUGUST, 1989.



COMMISSIONER JOHN T. HERNDON

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