

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition to Initiate ) DOCKET NO. 951145-TL  
Rulemaking Proceeding to Address ) ORDER NO. PSC-95-1403-FOF-TL  
Imputation Requirements Under ) ISSUED: November 16, 1995  
Recently Revised Chapter 364, )  
Florida Statutes, by GTE Florida )  
Incorporated )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman  
J. TERRY DEASON  
JOE GARCIA  
JULIA L. JOHNSON  
DIANE K. KIESLING

ORDER GRANTING PETITION TO INITIATE RULEMAKING

BY THE COMMISSION:

On September 22, 1995, pursuant to Rule 25-22.010, Florida Administrative Code, GTE Florida Incorporated (GTE) filed a petition to initiate rulemaking to address the imputation requirements set forth in Section 364.051(6)(c), Florida Statutes. The Florida Interexchange Carriers Association (FIXCA) filed a response to GTE's petition pursuant to Rule 25-22.012(2) on October 6, 1995, in which it argued GTE's petition should be denied.

GTE did not suggest what policy the Commission should adopt in an imputation rulemaking proceeding. Nonetheless, there is obvious disagreement over what should be the Commission's imputation policy under the new Chapter 364. Because the questions surrounding imputation are valid and should be resolved, we find that GTE's petition to initiate rulemaking shall be granted.

On October 11, 1995, Sprint Communications Company Limited Partnership (Sprint) filed a Petition for Leave to Intervene in this docket. Neither our rules or Chapter 120, Florida Statutes, however, require interested persons to formally intervene in a rulemaking proceeding. Therefore, we find it is not necessary to grant Sprint's petition. Sprint and any other interested person can participate in these rulemaking proceedings without formally seeking intervention.

DOCUMENT NUMBER-DATE

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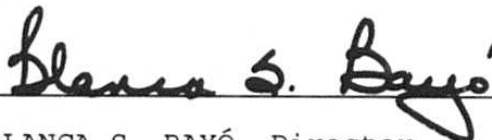
It is therefore

ORDERED by the Florida Public Service Commission that GTE Florida Incorporated's petition to initiate rulemaking to address the imputation requirements in Section 364.051(6)(c), Florida Statutes, shall be granted as set forth above. It is further

ORDERED that Sprint Communications Company Limited Partnership's petition for leave to intervene is denied. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission, this 16th day of November, 1995.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2),

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Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.