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ORIGINAL
FILE COPY

July 7, 1995

Mrs. Blanca S. Bayo
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

RE: Docket No. 920260-TL

Dear Mrs. Bayo:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Motion to Strike Portions of the Prehearing Statement Filed by the Communication Workers of America. Please file these documents in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White (02)
Nancy B. White

ACK ✓
ATA 1
APP _____
CFP _____

Enclosures
Enclosures

cc: All Parties of Record
1 A. M. Lombardo
1 R. G. Beatty
5 R. D. Lackey

Vinson

J. D.

DOCUMENT NUMBER-DATE
06448 JUL-7 95
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL
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In re: Comprehensive Review of)
the Revenue Requirements and Rate) Docket No. 920260-TL
Stabilization Plan of Southern)
Bell Telephone and Telegraph) Filed: July 7, 1995
Company)
_____)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
MOTION TO STRIKE PORTIONS OF THE PREHEARING STATEMENT
FILED BY THE COMMUNICATION WORKERS OF AMERICA

BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell"), moves the Prehearing Officer, pursuant to Rule 25-22.037 (Florida Administrative Code) of the Rules of the Florida Public Service Commission ("Commission"), to strike portions of the Prehearing Statement filed by Locals 3121, 3122, and 3107 Communication Workers of America AFL-CIO ("CWA") for the reasons set forth below.

1. First, Southern Bell moves to strike a portion of the section in the CWA's Prehearing Statement concerning witnesses. The CWA has listed the names of two witnesses in addition to that of Mr. William I. Knowles, Jr., the only witness listed by the CWA who has prefiled direct testimony. The order establishing procedure in this case, Order No. PSC-95-0642-PCO-TL, issued on May 25, 1995, specifically states "each party shall prefile, in writing, all testimony that it intends to sponsor." (Order, page 2). "Failure of a party to timely prefile...testimony...may bar admission of...such testimony." (Order, page 3). For this reason alone, the listing of all witnesses, other than Mr. Knowles, should be deleted from the CWA's Prehearing Statement and these witnesses should be prohibited from testifying.

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06448 JUL-7 95
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2. Further, Messrs. Kruckles and Dorado should be prohibited from testifying. Both of these persons are presidents of CWA local unions that are parties to this docket. There can be no question that these gentlemen are within the control of the CWA and that their testimony could have been prefiled by the CWA. There is absolutely no excuse for the CWA's failure to prefile their testimony and thus they should not be permitted to testify. They should not be allowed to testify for the additional reason that their testimony would appear to be cumulative of Mr. Knowles'.

3. Second, Southern Bell moves to strike a portion of the exhibits listed in that section of the CWA's Prehearing Statement. The listed exhibits include documents produced in discovery in Docket No. 920260-TL (b,1), as well as all pleadings filed in Docket No. 920260-TL (b,4). Setting aside the fact that this would constitute literally millions of pages of documents, the listings are inappropriate because the vast majority of these documents have no relevance whatsoever to the subject of this particular proceeding. That subject is the appropriate disposition of the \$25 million in unallocated revenue reductions for 1995, resulting from the Stipulation and Implementation Agreement (the "Settlement") in Docket No. 920260-TL and approved by the Commission in Order No. 94-0172-707-TL, dated February 11, 1994. Thus, the listing by the CWA of these documents as exhibits should be stricken as irrelevant to the issues in this proceeding.

4. Southern Bell also moves to strike the portion of CWA's Prehearing Statement regarding questions of law. The issue listed is already covered by the issue list contained in the procedural order. Again, it must be noted that, while the CWA had notice of the Issue Identification Workshop in this proceeding, they failed to attend same and can not now be heard to complain about the list agreed upon at that time.

Wherefore, Southern Bell moves the Prehearing Officer to grant Southern Bell's Motion to Strike Portions of the CWA's Prehearing Statement for the reasons set forth herein.

Respectfully submitted this 7th day of July, 1995.

SOUTHERN BELL TELEPHONE
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CERTIFICATE OF SERVICE

Docket No. 920260-TL

Docket No. 900960-TL

Docket No. 910163-TL

Docket No. 910727-TL

I HEREBY CERTIFY that a copy of the foregoing has been
furnished by United States Mail this 7th day of July, 1995 to:

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