

SERVICE COMMISSION  
96 OCT 10 AM 7:57  
MAIL ROOM

FPSC  
Docket No. 960124-TC

ORIGINAL  
FILE COPY

CHARLES J PELLEGRINI ESQ  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 SHUMARD OAK BLVD  
TALLAHASSEE FL 32399-0850

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC   1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

Florida Public Service Commission  
**RECEIVED**  
 OCT 9 1996  
 LEGAL DIVISION

DOCUMENT NUMBER-DATE

11302 OCT 23 96

FPSC-RECORDS/REPORTING

ORIGINAL  
FILE COPY

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

|                                    |   |                  |
|------------------------------------|---|------------------|
| WILBERTH GAVIRIA,                  | ) |                  |
|                                    | ) |                  |
| Petitioner,                        | ) |                  |
|                                    | ) |                  |
| vs.                                | ) | CASE NO. 96-3925 |
|                                    | ) |                  |
| FLORIDA PUBLIC SERVICE COMMISSION, | ) |                  |
|                                    | ) |                  |
| Respondent.                        | ) |                  |
| _____                              | ) |                  |

NOTICE OF HEARING BY VIDEO

A hearing will be held by video teleconference in this case at Ruth Rohde Building, Room N-106, 401 Northwest Second Avenue, Miami, Florida, on November 18, 1996, beginning at 9:00 a.m., or as soon thereafter as can be heard. One (1) day has been set aside for the hearing. Continuances will be granted only by order of the Hearing Officer for good cause shown.

ISSUES: Whether Petitioner violated Rules 25-24.515 and 25-24.512, Florida Administrative Code, and if so, what penalty should be imposed.

AUTHORITY: Section 120.57(1), Florida Statutes, and Chapter 60Q-2, Florida Administrative code.

The parties shall arrange to have all witnesses and evidence present at the time and place of hearing. Subpoenas will be issued by the Hearing Officer upon request of the parties. All parties have the right to present oral argument and to cross-examine opposing witnesses. All parties have the right to be represented by counsel or other qualified representative, in accordance with Rule 60Q-2.008, Florida Administrative Code.

DOCUMENT NUMBER-DATE

11302 OCT 23 96

FPSC-RECORDS/REPORTING

NOTICE given this 7 day of October, 1996.

*Susan B. Kirkland*

SUSAN B. KIRKLAND  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060  
(904) 488-9675 SUNCOM 278-9675  
Fax Filing (904) 921-6847

Copies Furnished:

Charles J. Pellegrini, Esquire  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Richard E. Doherty, Esquire  
66 West Flagler Street, Suite 700  
Miami, Florida 33130

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Division's Clerk no later than seven (7) days prior to the proceeding or hearing at which such special accommodation is required. The Division Clerk may be contacted at 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Telephone: 904/488-9675; 1-800-988-8771 (TDD); or 1-800-955-8770 (voice) via Florida Relay Service.

ORIGINAL  
FILE COPY

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

|                                    |   |                  |
|------------------------------------|---|------------------|
| WILBERTH GAVIRIA,                  | ) |                  |
|                                    | ) |                  |
| Petitioner,                        | ) |                  |
|                                    | ) |                  |
| vs.                                | ) | CASE NO. 96-3925 |
|                                    | ) |                  |
| FLORIDA PUBLIC SERVICE COMMISSION, | ) |                  |
|                                    | ) |                  |
| Respondent.                        | ) |                  |
| _____                              | ) |                  |

NOTICE OF HEARING BY VIDEO

A hearing will be held by video teleconference in this case at Ruth Rohie Building, Room N-106, 401 Northwest Second Avenue, Miami, Florida, on November 18, 1996, beginning at 9:00 a.m., or as soon thereafter as can be heard. One (1) day has been set aside for the hearing. Continuances will be granted only by order of the Hearing Officer for good cause shown.

ISSUES: Whether Petitioner violated Rules 25-24.515 and 25-24.512, Florida Administrative Code, and if so, what penalty should be imposed.

AUTHORITY: Section 120.57(1), Florida Statutes, and Chapter 60Q-2, Florida Administrative code.

The parties shall arrange to have all witnesses and evidence present at the time and place of hearing. Subpoenas will be issued by the Hearing Officer upon request of the parties. All parties have the right to present oral argument and to cross-examine opposing witnesses. All parties have the right to be represented by counsel or other qualified representative, in accordance with Rule 60Q-2.008, Florida Administrative Code.

DOCUMENT NUMBER-DATE

11302 OCT 23 88

FPSC-RECORDS/REPORTING

Failure to appear at this hearing shall be grounds for entry of an order of dismissal or recommended order of dismissal, as appropriate.

The hearing will be conducted by video teleconference with the Hearing Officer in Tallahassee. Arrangements for a court reporter will be made by the agency, and the reporter shall be at the Miami location. Witnesses and/or attorneys wishing to participate in Tallahassee may report to Capital Circle Office Center, Video Room Building A, Room 301, 4030 Esplanade Way, Tallahassee, Florida.

To facilitate matters, any party, attorney or witness who intends to participate at the Tallahassee end of the video teleconference shall advise the Hearing Officer in writing of such intention no later than ten (10) days before the formal hearing.

To further facilitate the hearing process, all parties shall, no later than ten (10) days before the formal hearing, do the following:

- a) File with the Hearing Officer a copy of all exhibits the party intends to offer into evidence at the formal hearing. Each such exhibit shall be prenumbered by the party offering the exhibit.
- b) Serve on each other party a copy of all exhibits the party intends to offer into evidence at the formal hearing. Each such exhibit shall be prenumbered by the party offering the exhibit.

NOTICE given this 7 day of October, 1996.

*Susan B. Kirkland*

SUSAN B. KIRKLAND

Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060  
(904) 488-9675 SUNCOM 278-9675  
Fax Filing (904) 921-6847

Copies Furnished:

Charles J. Pellegrini, Esquire  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Richard E. Doherty, Esquire  
66 West Flagler Street, Suite 700  
Miami, Florida 33130

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Division's Clerk no later than seven (7) days prior to the proceeding or hearing at which such special accommodation is required. The Division Clerk may be contacted at 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Telephone: 904/488-9675; 1-800-988-8771 (TDD); or 1-800-955-8770 (voice) via Florida Relay Service.