

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of	:	DOCKET NO. 950699-TL
	:	
Resolution by City	:	
Commission of Haines City	:	
Requesting Extended Area	:	
Service (EAS) from Haines	:	
City Exchange to All	:	
Exchanges within Polk County.	:	



PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER J. TERRY DEASON
Prehearing Officer

DATE: Monday, March 31, 1997

TIME: Commenced at 1:30 p.m.
Concluded at 1:45 p.m.

PLACE: Betty Easley Conference Center
Room 152
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: ROWENA NASH
Official Commission Reporter

DOCUMENT NO. DATE

03299 APR -15

FPSC-RECORDS/REPORTING

1 **APPEARANCES:**

2 **ROBERT NETTLETON**, P. O. Box 277, Haines
3 City, Florida, 33845-0277, appearing on behalf of
4 Haines City, located in Haines City, Florida.

5 **KIMBERLY CASWELL**, GTE Florida Incorporated,
6 Post Office Box 110, FLTC0007, Tampa, Florida 32301,
7 appearing on behalf of GTE Florida Incorporated,
8 located in Tampa, Florida.

9 **J. JEFFRY WAHLEN**, Ausley & McMullen, Post
10 Office Box 391, Tallahassee, Florida 32302, appearing
11 on behalf of Sprint-Florida, Inc.

12 **CHARLES J. BECK**, Deputy Public Counsel,
13 Office of Public Counsel, 111 West Madison Street,
14 Room 312, Tallahassee, Florida 32399-1400, appearing
15 on behalf of the Citizens of the State of Florida.

16 **BETH CULPEPPER**, Florida Public Service
17 Commission, Division of Legal Services, 2540 Shumard
18 Oak Boulevard, Tallahassee, Florida 32399-0870,
19 appearing on behalf of the Commission Staff.

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21 **ALSO APPEARING:**

22 **ANN SHELFER**, FPSC Division of Communications.

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P R O C E E D I N G S

(Hearing convened at 1:35 p.m.)

COMMISSIONER DEASON: Call the Prehearing Conference to order. Can we have the notice read, please?

MS. CULPEPPER: This time and place has been set for a Prehearing Conference in Docket 950699-TL, by notice issued March 21, 1997. The purpose of this Prehearing Conference is as set forth in the notice.

COMMISSIONER DEASON: Thank you. Take appearances.

MR. BECK: My name is Charlie Beck, Office of Public Counsel, 111 West Madison Street, Room 812, Tallahassee, Florida 32399, appearing on behalf of Florida's citizens.

MR. WAHLEN: I'm Jeff Wahlen of the Ausley & McMullen Law Firm, P.O. Box 391, Tallahassee, Florida 32302, appearing on behalf of Sprint-Flor'da, Inc.

COMMISSIONER DEASON: Other appearances by telephone?

MS. CASWELL: Yes. This is Kim Caswell on behalf of GTE Florida, One Tampa City Center, Tampa, Florida 33601.

MR. NETTLETON: Robert Nettleton on behalf of the City of Haines City, Florida, P.O. Box 277,

1 Haines City, Florida 33845.

2 MS. CULPEPPER: And Beth Culpepper for
3 Commission Staff, 2540 Shumard Oak Boulevard,
4 Tallahassee, Florida 32399.

5 COMMISSIONER DEASON: Okay. Thank you.
6 Preliminary matters?

7 MS. CULPEPPER: Commissioner, there are a
8 couple of requests for confidential treatment that can
9 be taken up in preliminary matters.

10 COMMISSIONER DEASON: Okay. I have reviewed
11 two draft Orders granting confidential treatment of
12 materials that were requested for confidential
13 treatment, and I've signed those Orders this morning.
14 I assume those Orders will be issued today?

15 MS. CULPEPPER: That is correct.

16 COMMISSIONER DEASON: And this is addressed
17 as the request by Sprint, as well as the request by
18 GTE. Is that the only preliminary matter Staff has?

19 MS. CULPEPPER: That's all the Staff is
20 aware of.

21 COMMISSIONER DEASON: Any of the parties
22 have any preliminary matters?

23 MR. BECK: No, sir.

24 MS. CASWELL: No, sir.

25 MR. NETTLETON: No, none for Haines City.

1 **COMMISSIONER DEASON:** Okay, very well. We
2 will then proceed through the draft Prehearing Order.
3 We will begin with Section 1, case background.

4 I plan to proceed rather quickly through
5 this, and if any party has any questions, changes,
6 modifications or corrections, to please speak up and
7 we'll address those.

8 Section 1, case background. Any changes or
9 corrections? 2 addresses procedure for handling
10 confidential information. Section 3, prefiled
11 testimony and exhibits. Section 4, order of
12 witnesses.

13 **MR. NETTLETON:** Ah --

14 **MS. CASWELL:** Ah --

15 **MR. NETTLETON:** Go ahead.

16 **MS. CASWELL:** Sorry. This is Kim Caswell,
17 GTE. I believe our witness David Robinson also had
18 rebuttal testimony, and the rebuttal was left off the
19 list. So that if it's added, I think he should go
20 after Mr. Tucher who also has direct and rebuttal.

21 **COMMISSIONER DEASON:** That would be
22 Mr. Robinson?

23 **MS. CASWELL:** Yes, David Robinson.

24 **COMMISSIONER DEASON:** Any other questions or
25 changes?

1 MR. NETTLETON: Yes. On the City of Haines
2 City's witness Elizabeth Ann Toney, the order just
3 addresses Issues 1, 2, and 3. We would ask that
4 Issues 4 and 5 also be added there for direct
5 testimony.

6 COMMISSIONER DEASON: Very well.

7 This may be a good time to ask this
8 question. There are a number of witnesses, and we
9 have one day scheduled. Do the parties anticipate
10 there would be any problems with time given that we
11 also are going to have a public hearing for the
12 customers?

13 No concerns in that regard?

14 MR. WAHLEN: Sprint has no concerns about
15 that.

16 COMMISSIONER DEASON: Mr. Nettleton, can you
17 give us any information in that regard? Do you think
18 there's going to be a problem with time?

19 MR. NETTLETON: No, I don't. I think the
20 witnesses that we have scheduled will move fairly
21 rapidly. As far as the public is concerned, none of
22 us really know at this point.

23 COMMISSIONER DEASON: Okay. Any other
24 questions or changes concerning order of witnesses?
25 Very well.

1 Section 5, basic positions. Changes or
2 corrections? Very well.

3 Section 6 addresses specific issues. We
4 will begin with Issue 1. Changes or corrections to
5 positions? Issue 2? Issue 3?

6 MR. BECK: Commissioner, on the OPC position
7 on Issue 3, it's just a typo. It should be "toll
8 rates" instead of "tools" where it says "existing
9 tools."

10 COMMISSIONER DEASON: Very well. Issue 4?
11 Issue 5? Any other issues, other than those that are
12 listed 1 through 5? Very well.

13 Section 7 addresses the exhibit list.

14 Ms. Caswell, does your witness have a
15 prepared exhibit which needs to be identified?

16 MS. CASWELL: I didn't think so. I can't
17 remember any.

18 COMMISSIONER DEASON: I don't recall. I
19 just noticed there were no GTE witnesses.

20 MS. CASWELL: Yeah, everybody else has them,
21 but I don't think we do.

22 COMMISSIONER DEASON: Any changes or
23 corrections to the exhibit list? Very well.

24 Section 8 addresses proposed stipulations.
25 I assume there are none. And the pending motions, the

1 only pending motions I know are the ones which I
2 addressed earlier today concerning the request for
3 confidential treatment.

4 Are there any other motions?

5 MR. WAHLEN: We also filed a Motion for
6 Protective Order. Was that ruled on at the same time,
7 or just the request for confidential classification?

8 MS. CULPEPPER: That's covered within that
9 same Order that I gave Commissioner Deason.

10 MR. WAHLEN: All right.

11 COMMISSIONER DEASON: It's all contained
12 within that Order, is that correct?

13 MS. CULPEPPER: Yes.

14 COMMISSIONER DEASON: Are there any other
15 matters to come before the Prehearing Officer at this
16 time?

17 The only other thing I would ask is that
18 since, obviously, there is some confidential
19 information that has been so determined, I assume all
20 parties are aware of the requirements concerning the
21 utilization of the confidential information as set out
22 in the Prehearing Order?

23 MR. NETTLETON: Bob Nettleton for Haines
24 City. I have one question on another matter. With
25 respect to the place of the hearing, has that been

1 finally determined?

2 MS. CULPEPPER: It's going to be at the
3 Haines City Hall.

4 MR. NETTLETON: The City Commission room in
5 the Haines City, City Hall?

6 MS. CULPEPPER: That's correct.

7 MR. NETTLETON: All right, fine.

8 COMMISSIONER DEASON: Any other questions?

9 MR. BECK: Beth, is there going to be two
10 opportunities for public testimony, the morning and
11 evening?

12 MS. CULPEPPER: Yeah. There's a hearing at
13 10:00 and then another one at 6:00.

14 MR. BECK: When are we going to take the
15 prefiled testimony, after the first public --

16 MS. CULPEPPER: The prefiled will be at the
17 6:00.

18 MS. SHELFER: Following the 10:00.

19 MR. BECK: I'm sorry. So we'll take public
20 testimony at 10:00 and follow that with the prefiled
21 testimony, and then there will be one more chance for
22 the public that evening?

23 MS. SHELFER: Yes.

24 COMMISSIONER DEASON: I think that's fairly
25 standard. I assume that's the way we'll proceed.

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Any other questions or concerns?

Hearing none, this Prehearing Conference is
adjourned. Thank you all.

(Thereupon, the hearing concluded at
1:45 p.m.)

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1 STATE OF FLORIDA)
2 : CERTIFICATE OF REPORTER
3 COUNTY OF LEON)

4 I, ROWENA NASH, Official Commission
5 Reporter,

6 DO HEREBY CERTIFY that the Prehearing
7 Conference in Docket No. 950699-TL was heard by the
8 Florida Public Service Commission at the time and
9 place herein stated; it is further

10 CERTIFIED that I stenographically reported
11 the said proceedings; that the same has been
12 transcribed under my direct supervision; and that this
13 transcript, consisting of 10 pages, constitutes a true
14 transcription of my notes of said proceedings

15

16 DATED this 31st day of March, 1997.

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ROWENA NASH
Official Commission Reporter
(904) 413-6736