

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of
Resolution by Holmes County
Board of County Commissioners
for extended area service in
Holmes County.

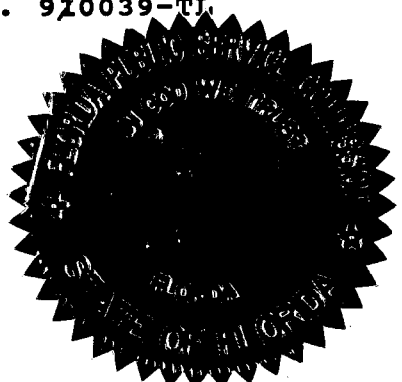
DOCKET NO. 870248-TL

Request by Gilchrist County
Commissioners for extended
area service throughout
Gilchrist County.

DOCKET NO. 870790-TL

Resolution by the Orange
County Board of County
Commissioners for extended
area service between the
Mount Dora exchange and the
Apopka, Orlando, Winter
Garden, Winter Park, East
Orange, Reedy Creek,
Windermere, and Lake Buena
Vista exchanges.

DOCKET NO. 910039-TL



Resolution by Bradford County
Commission requesting extended
area service within Bradford
County and between Bradford
County, Union County and
Gainesville.

DOCKET NO. 910022-TL

Request by Putnam County
Board of County Commissioners
for extended service between
the Crescent City, Hawthorne,
Orange Springs, and Melrose
exchanges, and the Palatka
exchange.

DOCKET NO. 910528-TL

Request by Pasco County Board
of County Commissioners for
extended service between all
Pasco County exchanges.

DOCKET NO. 910529-TL

DOCUMENT NUMBER-DATE
05478 MAY 18 88
FPSC-RECORDS/REPORTING

1 -----
 2 Request for extended area :
 3 service between all exchanges: DOCKET NO. 911185-TL
 4 within Volusia County by :
 5 Volusia County Council. :
 6 -----
 7 Resolution by the Palm Beach :
 8 County Board of County : DOCKET NO. 921193-TL
 9 Commissioners for extended :
 10 area service between all :
 11 exchanges in Palm Beach :
 12 County. :
 13 -----
 14 Petition by the residents of :
 15 Polo Park requesting extended : DOCKET NO. 930173-TL
 16 area service (EAS) between the:
 17 Haines City exchange and the :
 18 Orlando, West Kissimmee, Lake :
 19 Buena Vista, Windermere, :
 20 Reedy Creek, Winter Park, :
 21 Clermont, Winter Garden and :
 22 St. Cloud exchanges. :
 23 -----
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 14
 15 PROCEEDINGS: PREHEARING CONFERENCE
 16
 17 BEFORE: COMMISSIONER J. TERRY DEASON
 Prehearing Officer
 18
 19 DATE: Friday, May 15, 1998
 20
 21 TIME: Commenced at 9:30 a.m.
 Concluded at 10:30 a.m.
 22
 23 PLACE: Betty Easley Conference Center
 Room 152
 4075 Esplanade Way
 Tallahassee, Florida
 24
 25 REPORTED BY: H. RUTHE POTAMI, CSR, RPR
 Official Commission Reporter

1 **APPEARANCES:**

2 **J. JEFFRY WAHLEN**, Ausley & McMullen, Post
3 Office Box 391, Tallahassee, Florida 32302, appearing
4 on behalf of **ALLTELL Florida, Inc., Sprint-Florida,**
5 **Inc., and Vista-United Telecommunications.**

6 **GEORGE B. HANNA**, Museum Tower Building,
7 Suite 1910, 150 West Flagler Street, Miami, Florida
8 33130, and **NANCY B. WHITE**, c/o Nancy Sims, 150 South
9 Monroe Street, Suite 400, Tallahassee, Florida 32301,
10 appearing on behalf of **BellSouth Telecommunications,**
11 **Inc.**

12 **VICKI GORDON KAUFMAN**, McWhirter, Reeves,
13 McGlothlin, Davidson, Rief and Bakas, 117 South
14 Gadsden Street, Tallahassee, Florida 32301, appearing
15 on behalf of **Florida Competitive Carriers Association.**

16 **KIMBERLY CASWELL**, Post Office Box 110,
17 FLTC0007, Tampa, Florida 33601-0110, appearing on
18 behalf of **GTE Florida Incorporated.**

19 **BETH KEATING**, Florida Public Service
20 Commission, 2540 Shumard Oak Boulevard, Tallahassee,
21 Florida 32399-0850, appearing on behalf of the
22 **Commission Staff.**

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1 P R O C E E D I N G S

2 (Hearing convened at 9:30 a.m.)

3 **COMMISSIONER DEASON:** Call the prehearing
4 conference to order. Counsel, would you read the
5 notice?

6 **MS. KEATING:** By notice issued May 5th,
7 1998, this time and place has been set for a
8 prehearing conference in the following Dockets:
9 870248-TL, 870790-TL, 910039-TL, 910022-TL, 910528-TL,
10 910529-TL, 911185-TL, 921193-TL, and 930173-TL. The
11 purpose is as set forth in the notice.

12 **COMMISSIONER DEASON:** We'll take
13 appearances.

14 **MR. HANNA:** George Hanna and Nancy White for
15 BellSouth Telecommunications.

16 **MS. CASWELL:** Kim Caswell for GTE Florida.

17 **MR. WAHLEN:** Jeff Wahlen of the Ausley &
18 McMullen law firm, P.O. Box 391 Tallahassee 32302, on
19 behalf of ALLTEL Florida, Inc., Sprint-Florida, Inc.,
20 and Vista-United Telecommunications.

21 **MS. KAUFMAN:** Vicki Gordon Kaufman,
22 McWhirter, Reeves, McGlothlin, Davidson, Rief and
23 Bakas. I'm appearing for the Florida Competitive
24 Carriers Association.

25 **MS. KEATING:** And Beth Keating appearing for

1 Commission Staff.

2 **COMMISSIONER DEASON:** Ms. Keating, are there
3 any preliminary matters?

4 **MS. KEATING:** Just one that we're aware of.
5 As I understand it, Ms. Kaufman would like to ask that
6 FCCA be excused from the hearing.

7 **COMMISSIONER DEASON:** Ms. Kaufman?

8 **MS. KAUFMAN:** Commissioner Deason, the FCCA
9 doesn't have any witnesses, and we would request that
10 we be excused from the tentative hearing and just be
11 permitted to brief the issues in this case.

12 **COMMISSIONER DEASON:** Any objection? (No
13 response.) Hearing no objection, that will certainly
14 be permissible.

15 Ms. Keating, I'm looking at the draft
16 prehearing order. I see that there's a Mr. Samuel
17 Mutch from Gilchrist County.

18 **MS. KEATING:** That's correct. I spoke with
19 him -- or actually I received a message from him on
20 Monday that he was going to be appearing at this
21 prehearing conference, and I've tried to contact him
22 several times this week, and he hasn't returned my
23 calls, so -- apparently he isn't here.

24 **COMMISSIONER DEASON:** Do any of the other
25 parties know the status of Mr. Mutch? (No response.)

1 Okay.

2 **MR. WAHLEN:** I have a preliminary item.

3 **COMMISSIONER DEASON:** Certainly.

4 **MR. WAHLEN:** Vista-United filed a prehearing
5 statement when one of the dockets was added to this
6 proceeding at the last minute, and we've studied it
7 further and don't have any routes at issue in this
8 case. So I'd like permission to have Vista withdraw
9 from this proceeding and strike all references to
10 Vista-United in the prehearing order.

11 I've talked to the parties, and I don't
12 think anybody objects.

13 **COMMISSIONER DEASON:** That certainly sounds
14 reasonable. Is there any objection? (No response.)
15 Very well.

16 **MR. WAHLEN:** Thank you.

17 **COMMISSIONER DEASON:** That change will be
18 made in the prehearing order. Any other preliminary
19 matters? (No response.)

20 We will proceed, then, to the draft
21 prehearing order beginning with Case Background. Any
22 changes or corrections? (No response.)

23 Section II addresses Confidential
24 Information. Let me ask, do any of the parties expect
25 to produce confidential information at the hearing?

1 (No response.) Very well.

2 Section III addresses Prefiled Testimony and
3 Exhibits. Section IV, Order of Witnesses; any changes
4 or questions concerning Order of Witnesses?

5 **MS. KEATING:** I think we would like to make
6 one change. We'd like to have Mr. Scobie go second
7 and have Ms. Powell go third; just reverse those two
8 witnesses.

9 **COMMISSIONER DEASON:** Any objection? (No
10 response.)

11 We'll show, then, that Mr. Scobie and
12 Ms. Powell will reverse their positions in the order
13 of witness. Not reverse their positions in their
14 testimony. (Laughter)

15 **MR. WAHLEN:** Well, you never know.
16 (Laughter)

17 **COMMISSIONER DEASON:** Okay. We'll address
18 Section V, Basic Positions. Any changes or
19 corrections, realizing, of course, that Vista-United,
20 as we discussed earlier, will not be shown? (No
21 response.)

22 Section VI, Issues and Positions. Issue 1,
23 changes or corrections?

24 **MS. KEATING:** Actually there is one thing
25 with Issue 1. Staff would like to add an attachment

1 that more clearly outlines specifically which routes
2 are at issue.

3 **COMMISSIONER DEASON:** In Attachment 2 of the
4 prehearing order or an attachment to your position?
5 Attachment to what?

6 **MS. KEATING:** An attachment to the
7 prehearing order, which will be referred to in Issue 1
8 in the statement of the issue itself.

9 **COMMISSIONER DEASON:** Okay. Any objection?
10 (No response) Just for clarification.

11 **MS. KEATING:** Yes, sir.

12 **COMMISSIONER DEASON:** Issue 2? (No
13 response.) Issue 3? (No response.) Issue 4? (No
14 response.)

15 We'll move, then, to Section VII, the
16 Exhibit List. I see that we have an exhibit list from
17 Ms. Eudy. There are no other exhibits attached to the
18 prefiled testimony? (No response.) No other
19 exhibits. Very well.

20 Section 8, Proposed Stipulations. There are
21 none. Ms. Caswell?

22 **MS. CASWELL:** I don't have proposed
23 stipulations outstanding, but I do have a suggestion
24 that just came up a few minutes ago. I've talked to
25 some of the parties, and maybe we could agree to

1 stipulate the testimony into the record and brief
2 these issues and do away with the hearing itself.

3 **COMMISSIONER DEASON:** Well, I'll just hear
4 from each party, and then we'll conclude with Staff.

5 **MR. HANNA:** That's fine with BellSouth.

6 **MR. WAHLEN:** We don't object to that.

7 **COMMISSIONER DEASON:** Ms. Kaufman, you're
8 not coming to the hearing anyway.

9 **MS. KAUFMAN:** I have no objection.

10 **COMMISSIONER DEASON:** Staff? Staff has
11 questions.

12 **MS. KEATING:** I'd like to run it by
13 Ms. Shelfer. (Pause)

14 I think we're all right with it.

15 **MS. CASWELL:** I would suggest if Staff has
16 any problems, we could just do something tentative now
17 and, you know, if you can't agree to it today, then --
18 or if you want additional information from the
19 companies, maybe we could do that, too.

20 **MR. HANNA:** If I may, BellSouth may have to
21 add -- we were going to do this at the hearing. Our
22 testimony did not include one of the docket entries in
23 this combined docket, the 870248. Our prehearing
24 statement does have the information.

25 I think Sprint also had to make a correction

1 to their testimony on that. If we could do that here,
2 then we really can do away with the hearing, at least
3 from our perspective.

4 **MS. KEATING:** Could we have like a 10 or a
5 15-minute break to go back and look at --

6 **COMMISSIONER DEASON:** We'll take a 15-minute
7 recess to let Staff review their plans for the hearing
8 and also discuss with the parties what additional
9 information needs to be obtained and what format; and
10 10 or 15 minutes should be adequate. We'll reconvene
11 after the recess of 15 minutes.

12 **MS. KEATING:** Thank you.

13 (Brief recess.)

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15 **COMMISSIONER DEASON:** We'll call the
16 prehearing conference back to order. Ms. Keating?

17 **MS. KEATING:** We have talked about this, and
18 I think we'd be willing to go along with stipulating
19 all the testimony into the record and just having a
20 briefing schedule.

21 If the parties in briefing Issue 4 would
22 also agree to provide a rate proposal on that issue
23 and explain their estimated costs as part of that, I
24 think if we can get that information, then we'll be
25 all right.

1 **COMMISSIONER DEASON:** Do you have anything
2 else to add, or is that it?

3 **MS. KEATING:** Just in case everybody didn't
4 understand, it's the rate that the customer would be
5 billed by the companies. I mean, is that something
6 that's doable?

7 **MR. HANNA:** That's fine with us.

8 **MS. CASWELL:** Yes.

9 **MR. HANNA:** Commissioner, I've got another
10 issue I'd like to just --

11 **COMMISSIONER DEASON:** Just one second. I
12 need to hear from Mr. Wahlen.

13 **MR. WAHLEN:** That's fine with us.

14 **COMMISSIONER DEASON:** Okay. Ms. Kaufman, I
15 assume there's no objection.

16 **MS. KAUFMAN:** No.

17 **MR. HANNA:** Commissioner, we didn't include
18 in our testimony and would like to amend our testimony
19 to include the routes in the BellSouth exchange in
20 Docket No. 870248. I don't think anyone has got any
21 objection to our amending the testimony just to
22 include that. The route is included in the prehearing
23 statement along with the exchange involved.

24 **COMMISSIONER DEASON:** So you propose, then,
25 to amend your prefiled testimony so that when the

1 testimony is inserted into the record it would reflect
2 that information?

3 **MR. HANNA:** Correct. That would be the only
4 addition to the testimony.

5 **COMMISSIONER DEASON:** Any objection? No
6 objection. That will be sufficient.

7 **MR. HANNA:** Thank you, Commissioner.

8 **COMMISSIONER DEASON:** Is it understood,
9 then, as to exactly what is expected in the forms of
10 information to be included within the briefs
11 concerning rate proposals? Is there to be some type
12 of cost support associated with that?

13 **MS. KEATING:** Yes, sir; we'd also like to
14 see that in there, I think. It will be estimated
15 cost, you know, to the extent that they can, but we
16 want to see it.

17 **COMMISSIONER DEASON:** Okay.

18 **MR. WAHLEN:** I have two small corrections to
19 the testimony before we finish.

20 **COMMISSIONER DEASON:** Okay, Mr. Wahlen, go
21 right ahead.

22 **MR. WAHLEN:** In the testimony of Sanja
23 Powell on Page 2, Line 15, "extended calling scope
24 should read "extended calling service."

25 And on Lines 23 and 24, on Line 23 where it

1 says "Graceville," it should read "Ponce de Leon," and
2 where it says "Ponce de Leon," it should read
3 "Graceville."

4 And then on Line 24 where it reads
5 "Graceville" it should say, "Defuniak Springs," and
6 where it says "Defuniak Springs" it should say
7 "Graceville." We just flopped those.

8 **MS. KEATING:** I'm sorry. Which page?

9 **MR. WAHLEN:** Two.

10 **MS. KEATING:** I think there is one more
11 thing. As I understand it, Mr. Scobie had an exhibit
12 that was left off the draft, and that needs to be
13 added.

14 **COMMISSIONER DEASON:** Ms. Caswell?

15 **MS. KEATING:** Yes. That would be attached
16 to Mr. Scobie's direct testimony. It's labeled CMS-1,
17 and it's Economic Impact Statement.

18 **COMMISSIONER DEASON:** Okay. Then just to
19 summarize, all the parties are in agreement that
20 there's no need to convene the hearing for purposes of
21 having witnesses present to be cross-examined, that
22 the testimony can be inserted into the record. And do
23 we actually need to convene the hearing for that
24 purpose?

25 **MS. KEATING:** I think we can just do that by

1 stipulation. I am going to have to check on whether
2 the FAW notice has gone out and whether the
3 Commissioners will actually have to be here, but I
4 think that there may be some way to get something in
5 before. But other than that, I don't think we need to
6 actually convene the hearing per se.

7 **COMMISSIONER DEASON:** Very well. It's
8 understood, then, that the testimony will be inserted
9 into the record. All cross-examination would be
10 waived. The parties will be permitted the opportunity
11 to file briefs, and it is also understood that within
12 those briefs that the companies are to provide their
13 pricing proposals with cost support for those
14 proposals.

15 Okay. Is there anything else to come before
16 the prehearing officer?

17 **MR. WAHLEN:** Will we keep the briefing
18 schedule as it is with briefs due on June 17th.

19 **MS. KEATING:** I think that would be fine.

20 **COMMISSIONER DEASON:** Any objection?
21 Hearing none, that schedule then sounds fine.

22 **MR. WAHLEN:** I guess the only other question
23 is, for purposes of preparing the brief, will there be
24 a transcript prepared that includes all the testimony
25 so that we can refer to it by the transcript, or do

1 you want us to just refer to the prefiled?

2 **COMMISSIONER DEASON:** Let's go off the
3 record for just a minute.

4 (Discussion off the record.)

5 **COMMISSIONER DEASON:** Let's go back on the
6 record, and we'll discuss this so we all understand.
7 Mr. Wahlen, state your question again.

8 **MR. WAHLEN:** The question was whether a
9 transcript would be prepared. And after our
10 discussion, I think when a hearing is convened and all
11 the testimony is stipulated into the record, a
12 transcript is traditionally prepared. But in a case
13 like this where there is not going to be a hearing
14 convened, a transcript would not be prepared and we
15 would just all understand that the record consists of
16 prefiled testimony and exhibits that we've identified
17 here as corrected with the corrections we made today;
18 and that would be the basis on which we would brief
19 the case.

20 **COMMISSIONER DEASON:** Is there any objection
21 to that procedure? (No response.) Very well. Then
22 that will be the procedure we will follow. Staff is
23 okay with that, too?

24 **MS. KEATING:** Yes, sir.

25 **COMMISSIONER DEASON:** Okay. Anything else,

1 then? Hearing none, this prehearing conference is
2 adjourned. Thank you all.

3 (Thereupon, the hearing concluded at
4 10:30 a.m.)

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1 STATE OF FLORIDA)
2 COUNTY OF LEON)

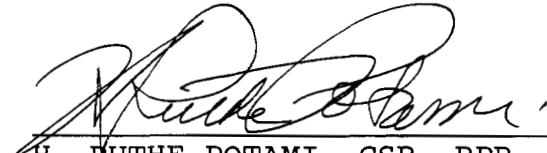
CERTIFICATE OF REPORTER

3 I, H. RUTHE POTAMI, CSR, RPR Official
4 Commission Reporter,

5 DO HEREBY CERTIFY that the Prehearing
6 Conference in Docket Nos. 870248-TL, 870790-TL,
7 910039-TL, 910022-TL, 910528-TL, 910529-TL, 911185-TL,
8 921193-TL, and 930173-TL was heard by the Prehearing
9 Officer at the time and place herein stated; it is
10 further

11 CERTIFIED that I stenographically reported
12 the said proceedings; that the same has been
13 transcribed under my direct supervision; and that this
14 transcript, consisting of 16 pages, constitutes a true
15 transcription of my notes of said proceedings,

16 DATED this 18th day of May, 1998.

17 
18 _____
19 H. RUTHE POTAMI, CSR, RPR
20 Official Commission Reporter
21 (904) 413-6734
22
23
24
25