

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the statewide offering of access to the local network for the purpose of providing information services)	DOCKET NO. 880423-TP
)	ORDER NO. 24017
)	ISSUED: 1-24-91

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 BETTY EASLEY
 GERALD L. GUNTER
 FRANK S. MESSERSMITH
 MICHAEL MCK. WILSON

ORDER ACKNOWLEDGING WITHDRAWAL OF MOTION

BY THE COMMISSION:

On July 28, 1989, Southern Bell filed its Motion for Reconsideration of Order No. 21519 which denied Specified Confidential Classification of certain regulated, monopoly costs associated with the Company's ESSX service. On December 6, 1990 the Company filed its Withdrawal of Motion for Reconsideration.

Similar cost information was at issue in Docket No. 881257. In its Motion for Reconsideration of Order No. 23723, issued in that Docket, the Company did not seek reconsideration of the cost to provide "Touchtone service, DID service or ESSX loops," but argued that "all other ESSX costs are highly proprietary." Thus, when the Company circled its wagons for the Confidentiality of ESSX costs in that Docket, the information at issue in the Company's Motion for Reconsideration in the instant Docket was left outside. As such, there is nothing to be resolved by the Company's July 29, 1989, Motion for Reconsideration and the Company's December 6, 1990, Withdrawal of Motion for Reconsideration is acknowledged.

Therefore, based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Commission acknowledges Southern Bell Telephone and Telegraph Company's withdrawal of its Motion for Reconsideration of Order No. 21519.

DOCUMENT NUMBER-DATE

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FSC-RECORDS/REPORTING

ORDER NO. 24017
DOCKET NO. 880423-TP
PAGE 2

By ORDER of the Florida Public Service Commission, this 24th
day of JANUARY, 1991.



STEVE TRIBBLE, 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 the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) 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 sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order,

ORDER NO. 24017
DOCKET NO. 880423-TP
PAGE 3

pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.