

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint by First) DOCKET NO. 921026-TL
National Bank Trust Company) ORDER NO. PSC-93-0704-FOF-TL
against BELLSOUTH) ISSUED: 5/10/93
TELECOMMUNICATIONS, INC. D/B/A)
SOUTHERN BELL TELEPHONE AND)
TELEGRAPH COMPANY regarding)
overbilling.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
THOMAS M. BEARD
SUSAN F. CLARK
JULIA L. JOHNSON

FINAL ORDER ACKNOWLEDGING
WITHDRAWAL AND CLOSING DOCKET

This docket was opened on October 6, 1992 in response to a complaint filed by First National Bank and Trust Company (the Bank) against Southern Bell Telephone and Telegraph Company (SBT). The complaint consisted of a considerable amount of correspondence between the Bank, SBT, staff and Communications Professional Limited (CPL), hired by the Bank as a consultant .

On October 7, 1992 SBT timely responded to the Bank's Complaint by filing a Motion to Dismiss or Alternatively for a More Definite Statement. SBT argued that the Bank's complaint did not provide sufficient specificity to permit a more substantive response.

On November 11, 1992 the Bank filed what was apparently intended to serve as a response to SBT's Motion to Dismiss. The "response" consisted of a cover letter and a copy of all the previously filed documents.

On March 29, 1993 a notice of appearance was filed by Counsel for the Bank and on the same day the Bank filed a Motion of Voluntary Dismissal. Discussions with the Parties indicates that a mutually agreeable settlement was reached outside this proceeding.

Based on the foregoing, it is

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ORDERED by the Florida Public Service Commission that First National Bank and Trust Company's Notice of Withdrawal is hereby acknowledged. It is further,

ORDERED that this docket be closed.

By ORDER of the Florida Public Service Commission, this 10th day of May, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)
JKA

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