

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Dade County Circuit) DOCKET NO. 951270-TI
Court referral of certain issues) ORDER NO. PSC-97-0248-PCO-TI
in Case No. 94-14234-CA-22 (S.H.) ISSUED: March 3, 1997
Dohan & Company, P.A. vs.)
Transcall America, Inc. d/b/a)
ATC Long Distance) that are)
within the Commission's)
jurisdiction.)
_____)

ORDER GRANTING JOINT MOTION AND
MODIFYING ORDER ON PROCEDURE

This complaint by Dohan & Company, P.A. (Dohan) against Transcall America, Inc. d/b/a ATC Long Distance (Transcall) for alleged improper billing was brought before the 11th Circuit Court on March 22, 1995, upon a Stipulation Regarding Conditional Class Certification and Settlement. On August 3, 1995, the Court issued an I. Order Determining Claim to Be Maintained as Class Action II. Final Order Approving Class Action Settlement III. Order Staying Action and Transferring Same to the Florida Public Service Commission. Therein, the Court stated that Dohan's claims raise issues regarding Transcall's billing system and the application of tariff provisions that are within the specialized expertise and jurisdiction of the Commission. Accordingly, this docket was opened to address the specific issues referred to us. Discovery has ensued and this matter has been set for hearing.

On February 18, 1997, the parties filed a Joint Motion for Modification of Case Assignment and Scheduling Record (CASR). A status conference was conducted on February 21, 1997, at which the parties' request to modify certain filing dates was discussed. Upon consideration, the parties' Joint Motion for Modification of Case Assignment and Scheduling Record is granted. The dates set forth in Order No. PSC-97-0200-PCO-TI shall be modified as set forth below.

Controlling Dates

- | | | |
|----|--|----------------|
| 1) | All direct testimony
and exhibits | March 17, 1997 |
| 2) | All rebuttal testimony
and exhibits | April 7, 1997 |
| 3) | Prehearing Statements | April 7, 1997 |

In view of the approaching hearing dates, responses to discovery requests shall be served within 15 days of service of the request.

DOCUMENT NUMBER-DATE
02269 MAR-35
FPSC-RECORDS/REPORTING

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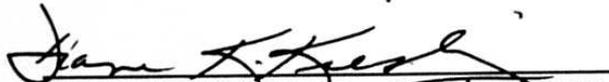
Based upon the foregoing, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the parties' Joint Motion for Modification of Case Assignment and Scheduling Record is granted. It is further

ORDERED that Order No. PSC-97-0200-PCO-TI is modified as set forth above. It is further

ORDERED that Order No. PSC-97-0200-PCO-TI is reaffirmed in all other respects.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 3rd day of March, 1997.


DIANE K. KIESLING, Commissioner and
Prehearing Officer

(S E A L)

BC

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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 this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.