

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Dade County Circuit Court referral of certain issues in Case No. 94-14234-CA-22 (S.H. Dohan & Company, P.A. vs. Transcall America, Inc. d/b/a ATC Long Distance) that are within the Commission's jurisdiction.

DOCKET NO. 951270-TI
ORDER NO. PSC-97-0612-PCO-TI
ISSUED: May 28, 1997

ORDER GRANTING MOTION FOR LEAVE TO FILE TESTIMONY

Order No. PSC-97-0200-PCO-TI, issued February 20, 1997, established February 24, 1997, as the deadline for filing testimony in this docket. Order No. PSC-97-0248-PCO-TI, issued March 3, 1997, extended the deadline to file direct testimony to March 17, 1997. Order No. PSC-97-0301-PCO-TI, issued March 20, 1997, further extended the deadline to file direct testimony to March 27, 1997. On May 22, 1997, Commission staff filed a motion for leave to file the testimony of Denise Vandiver, Chief of Auditing. The motion indicated that the parties did not object to this testimony being filed.

Upon consideration, Staff's Motion for Leave to File Testimony is granted. The testimony must be filed and served upon the parties by the close of business on Thursday, June 5, 1997. The parties may file testimony in response to Ms. Vandiver's testimony. The parties' rebuttal testimony shall be filed by Thursday, June 12, 1997.

Based on the foregoing, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that Staff's motion for leave to file the testimony of Denise Vandiver, Chief of Auditing, is granted as set forth above. It is further

ORDERED that the parties may file testimony in response by June 12, 1997.


DOCUMENT NUMBER-DATE

05298 MAY 28 97

FLSA RECORDS REPORTING

ORDER NO. PSC-97-0612-PCO-TI
DOCKET NO. 951270-TI
PAGE 2

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 28th day of May, 1997.


Diane K. Kiesling, Commissioner
and Prehearing Officer

(S E A L)

MMB

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.