

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing
by GTE Florida Incorporated to
transfer a portion of the
Sarasota exchange into the
Bradenton exchange.

DOCKET NO. 970990-TL
ORDER NO. PSC-98-0089-PCO-TL
ISSUED: January 14, 1998

ORDER GRANTING REQUEST FOR EXTENSION OF TIME
TO FILE DIRECT TESTIMONY

On July 10, 1997, GTE Florida Incorporated (GTEFL) submitted a proposed tariff that would transfer a portion of the Sarasota exchange (Lakewood Ranch area) into the Bradenton exchange. GTE serves both exchanges. There are 26 business customers and 29 residential customers currently in the area. In proposing this transfer, GTEFL sought the ability to provide service to the Lakewood Ranch area from one exchange. GTEFL asserted that the area transfer would insure that all Lakewood ranch area residences and businesses pay the same rates and have the same local calling scope. To expedite its request, GTEFL also filed a proposed customer information notice, survey, and ballot. GTEFL requested that the customer information notice be mailed to the affected customers one day after we issue an order on GTEFL's proposed tariff.

By Order No. PSC-97-1029-FOF-TL, issued August 27, 1997, we denied GTEFL's tariff proposal, and instead, required that the 26 business customers and 29 residential customers located in the Lakewood ranch area of the Sarasota exchange be surveyed to determine if they are in favor of moving into the Bradenton exchange.

By letter filed September 16, 1997, Dr. William J. McGinty of the Sarasota Equine Associates protested the proposed boundary change. Dr. McGinty asserted that his business would face a significant financial burden if GTEFL's tariff were ultimately approved in order to change its letterhead, its office supplies, and its advertising. As a result of this protest, this matter has been set for hearing on March 27, 1998.

DOCUMENT NUMBER-DATE

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By Order No. PSC-97-1398-PCO-TL, issued November 6, 1997, the procedures and filing dates for this docket were established. In accordance with that Order, GTEFL's direct testimony and exhibits were due December 30, 1997. On December 24, 1997, GTEFL filed a Request for Extension to File Direct Testimony. Dr. McGinty did not file a response.


By its request, GTEFL seeks an extension to file its direct testimony and exhibits on February 2, 1998. GTEFL states that this extension will allow it to better tailor its testimony to the issues set forth in Order No. PSC-97-1619-PCO-TL, issued December 30, 1997. GTEFL also asserts that an extension will allow it to focus its efforts on negotiating a settlement with Dr. McGinty. GTEFL states that it has proposed a settlement to Dr. McGinty, and that Dr. McGinty is still considering it. In addition, GTEFL asserts that the extension will not be burdensome to the other parties and will not interfere with any of the other scheduled filing dates.

Upon review, I find that GTEFL's request is appropriate. I, therefore, grant GTEFL's Request for Extension to File Direct Testimony on February 2, 1998.

It is therefore

ORDERED by Commissioner Joe Garcia, as Prehearing Officer, that GTE Florida Incorporated's Request for Extension to File Direct Testimony on February 2, 1998, is granted.

By ORDER of Commissioner Joe Garcia, as Prehearing Officer, this 14th Day of January, 1998.



JOE GARCIA
Commissioner and Prehearing Officer

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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 25-22.038(2), 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.