

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Sprint-Florida, Incorporated regarding the practices of Thrifty Call, Inc. in the reporting of percent interstate usage for compensation for jurisdictional access services.

DOCKET NO. 991751-TP
ORDER NO. PSC-00-0697-FOF-TP
ISSUED: April 13, 2000

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.
LILA A. JABER

ORDER ACKNOWLEDGING VOLUNTARY DISMISSAL OF COMPLAINT

BY THE COMMISSION:

On November 22, 1999, Sprint-Florida, Incorporated (Sprint) filed a Complaint against Thrifty Call, Inc. (Thrifty Call) for Thrifty Call's practices in reporting Percent Interstate Usage (PIU) factors to Sprint. With its complaint, Sprint submitted an Emergency Motion for Protective Order, as well as a Request for Confidential Treatment, in accordance with Rule 25-22.006, Florida Administrative Code. A Temporary Protective Order was issued on November 30, 1999.

On January 11, 2000, Thrifty Call filed a Motion to Dismiss Sprint's complaint. On January 24, 2000, Sprint filed its Response. Soon thereafter, however, the parties indicated to Commission staff that they were working towards a resolution of their dispute.

On March 2, 2000, Sprint filed its Notice of Voluntary Dismissal, with prejudice, of its Complaint against Thrifty Call. In its Notice of Voluntary Dismissal, Sprint simply states that it voluntarily withdraws and dismisses, with prejudice, its Complaint

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against Thrifty Call. There is no indication as to the basis for the withdrawal. It appears, however, that the parties have negotiated a resolution of their dispute.

Based on the foregoing, we hereby acknowledge Sprint's voluntary dismissal, with prejudice, of its Complaint. Our acknowledgment of the voluntary dismissal renders Thrifty Call's pending Motion to Dismiss moot.

It is therefore

ORDERED by the Florida Public Service Commission that the Voluntary Dismissal With Prejudice of Complaint against Thrifty Call, Inc., filed by Sprint-Florida, Incorporated, is hereby acknowledged. It is further

ORDERED that this Docket shall be closed.

By ORDER of the Florida Public Service Commission this 13th day of April, 2000.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(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 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/or wastewater 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 Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.