



ORIGINAL
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GTE Florida
Incorporated

One Tampa City Center
Post Office Box 110
Tampa, Florida 33601-0110
(813) 224-4001

James V. Carideo
Area Vice President - General Counsel

Attorneys
Lorin H. Albeck
Leslie Reicin Stein
Thomas R. Parker

December 22, 1989

Mr. Steve C. Tribble, Director
Division of Records & Reporting
Florida Public Service Commission
101 E. Gaines Street
Tallahassee, FL 32399-0865

Re: Docket No. 891278-PU
Amendment of Rule 25-14.003, F.A.C.,
Corporate Income Tax Expense Adjustment:
Midpoint and Additional Changes

ACK

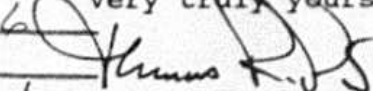
AFA Dear Mr. Tribble:

APP Please find enclosed for filing the original and 15 copies
CAF of GTEFL's Comments and Request for Hearing for filing in
the above-referenced matter.

CMU

CTR Service has been made as indicated on the Certificate of
EAG Service. If there are any questions with regard to this
matter, please contact the undersigned at 813-228-3087.

LEG Very truly yours,

LIN 

OPC Thomas R. Parker

RCH tp/fm
SEC Enclosure

WAS

OTH

RECEIVED & FILED

TB
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

12298 DEC 27 1989

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rule 25-14.003,))
F.A.C., Corporate Income Tax Expense))
Adjustment: Midpoint and Additional))
Changes.)

Docket No. 891278-PU
Filed: 12/22/89

COMMENTS AND REQUEST FOR HEARING

Comes now GTE Florida Incorporated ("GTEFL") pursuant to the Notice of Rulemaking issued by the Commission in Order No. 22237 on November 29, 1989, and tentatively requests that this Commission hold a hearing on January 29, 1990. In support thereof, GTEFL states as follows:

1. GTEFL is a "telephone company" as that term is defined in Section 364.02(4) Fla. Stat. (1987). As such, its regulated intrastate operations are subject to the jurisdiction of this Commission.

2. Correspondence and contacts regarding this pleading should be directed to:

Thomas R. Parker, Esq.
Associate General Counsel
GTE Florida Incorporated
P. O. Box 110, MC 7
Tampa, FL 33601-0110

3. The Commission's "Notice of Rulemaking" issued on November 29, 1989, contains a proposed amendment to the definition of the term "midpoint." In changing the definition, the Commission has proposed that a zero cost rate be used for investment tax credits in determining the overall weighted average cost of capital.

DOCUMENT NUMBER-DATE

12298 DEC 27 1989

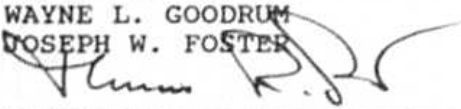
FPSC-RECORDS/REPORTING

4. GTEFL is in the process of determining whether the utilization of a zero cost rate for investment tax credits in Commission Rule 25-14.003 constitutes a violation of the Internal Revenue Code and its applicable provisions concerning eligibility violations related to investment tax credits. GTEFL's analysis is not yet complete and the Company files this Request for Hearing in order to preserve its procedural rights. The Company will ascertain its final position as soon as possible. If the determination is made that no code violation exists, this Request for Hearing will be withdrawn at the Company's earliest opportunity. If it is the Company's determination that a code violation exists, the Company will appear on January 29, 1990, for the purpose of explaining its position to the Commission through the utilization of prepared testimony sponsored by a tax expert.

WHEREFORE, GTE Florida Incorporated hereby requests that the Florida Public Service Commission hold a hearing on January 29, 1990, as set forth in its Notice of Rulemaking subject to the Company's final determination regarding Internal Revenue Code violations.

Respectfully submitted this 22nd day of December, 1989.

JAMES V. CARIDEO
THOMAS R. PARKER
LORIN H. ALBECK
LESLIE R. STEIN
WAYNE L. GOODRUM
JOSEPH W. FOSTER



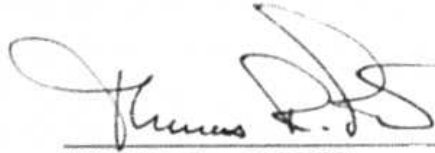
THOMAS R. PARKER
GTE Florida Incorporated
P. O. Box 110, MC 7
Tampa, FL 33601-0110
Telephone No. (813) 228-3087

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of GTE Florida Incorporated's Comments and Request for Hearing in Docket No. 891278-PU has been furnished by United States mail this the 22nd day of December, 1989, to:

Cynthia Miller
Staff Counsel
Florida Public Svc.Com.
101 E. Gaines Street
Tallahassee, FL 32301

Jack Shreve, Public Counsel
Office of the Public Counsel
%Florida House of Represen.
The Capitol
Tallahassee, FL 32399-1300



THOMAS R. PARKER