

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into UNITED)	DOCKET NO. 891239-TL
TELEPHONE COMPANY OF FLORIDA'S)	ORDER NO. 23535
authorized return on equity and)	ISSUED: 9-25-90
earnings.)	
)	

ORDER GRANTING INTERVENTION TO THE COMMUNICATIONS WORKERS OF AMERICA

BY THE COMMISSION:

By Petition, the Communications Workers of America (CWA) has requested permission to intervene in this proceeding. The CWA is an unincorporated association that represents the employees of United Telephone Company of Florida (United) under a collective bargaining agreement. The members of this association are also customers of United's telephone services.

United has filed a pleading in opposition to the CWA's Petition to Intervene. United's opposition is based on its view that the CWA's request to intervene in this proceeding on behalf of its members' substantial interests as customers of the Company's telephone services is insincere. United alleges that the CWA's true motivation is more likely to be to gain new members. United goes on to state that the CWA is not qualified to represent its members as customers in this proceeding because it is only legally qualified to represent its members in collective bargaining matters, because the Public Counsel has the legal obligation to represent the citizens of the State of Florida, and because the CWA's Petition was not filed by a Class A or B practitioner and because its Petition had several typographical errors.

This Commission's philosophy regarding the granting of intervention in rate proceedings is, necessarily and appropriately, very liberal. Individuals and groups representing individuals who are customers of telephone companies must be permitted to participate and contribute any information they may have to enlighten such proceedings. More significantly, such individuals will be paying the rates that will be determined in this proceeding and, therefore, they have a legal right to participation. The statutory mandate provided to the Public Counsel does not preclude the participation of any customer in such proceedings. However, we will state that it is only in this association's capacity as a representative

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of a customer group that its intervention is appropriate here. CWA will not be permitted to advocate positions that relate solely to its role as a representative of United's employees in collective bargaining. Therefore, having reviewed CWA's Petition, we find that it should be granted. Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by the Communications Workers of America be and the same is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Rod Smith, Esquire
Smith and Fletcher
P. O. Box 628
Alachua, Florida 32615
(904) 462-4005

By ORDER of the Florida Public Service Commission,
this 25th day of SEPTEMBER, 1990.

STEVE TRIBBLE
Director of Records and Reporting

(S E A L)

SFS

by: Kay Dlyon
Chief, Bureau of Records