

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filings by)	DOCKET NO. 891194-TL
SOUTHERN BELL TELEPHONE AND TELEGRAPH)	
COMPANY clarifying when a non-published)	ORDER NO. 24231
number can be disclosed and introducing)	
Caller ID to TouchStar Service)	ISSUED: 3/12/91
)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 GERALD L. GUNTER
 MICHAEL MCK. WILSON

ORDER ACCEPTING AGREEMENT OF PARTIES AND
CANCELLING ADDITIONAL LIMITED HEARING

BY THE COMMISSION:

By Order No. 23995, issued January 16, 1991, we granted the Office of Public Counsel's (OPC's) Motion for Additional Limited Hearing filed December 20, 1990. The additional limited hearing is for the purpose of considering the evidentiary impact of certain documents requested by OPC in the course of discovery, but not received by OPC until after the hearing on November 28 and 29, 1990, had concluded.

By Order No. 24113, issued February 15, 1991, the Prehearing Officer further limited the number of documents in question and admonished the parties to conduct further discovery in a spirit of cooperation, with the goal of minimizing the number of witnesses required for the additional limited hearing. Another prehearing conference was set for March 1, 1991, to finalize the procedures for the additional limited hearing set for March 11, 1991.

At the March 1st prehearing conference, OPC and Southern Bell Telephone and Telegraph Company (Southern Bell) announced that they had reached an agreement whereby the documents in question, as well as the full text of the depositions taken regarding these documents, would be stipulated into the evidentiary record of the proceedings and the additional limited hearing would be cancelled. None of the other parties raised any objection to the agreement. The Prehearing Officer has recommended that we accept this agreement.

Upon consideration, we find it appropriate to approve the agreement reached between OPC and Southern Bell. Accordingly, the

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additional limited hearing set for March 11, 1991, shall be cancelled. We wish to recognize the efforts expended by the parties to resolve this matter in an expeditious fashion that accords with the due process rights of all concerned. Such efforts are particularly notable here, given the vigor of advocacy displayed on the various issues in this docket.

In light of our decision to accept the agreement and cancel the additional limited hearing, the following schedule shall be in effect for the events that remain in this proceeding. OPC shall file the deposition transcripts (which include the pertinent documents as exhibits) with our Division of Records and Reporting and shall serve copies on all parties. OPC shall accomplish this filing as soon as possible, but no later than March 18, 1991, the date when transcripts would have been available from the additional limited hearing. The remainder of the schedule shall not be changed. Supplemental briefs from the parties are due by March 25, 1991, with our staff's recommendation to be filed by April 5, 1991. The Special Agenda where we will render our decision on this matter is set for April 18, 1991.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the agreement between the Office of Public Counsel and Southern Bell Telephone and Telegraph Company discussed in the body of this Order is hereby approved and the additional limited hearing set for March 11, 1991, is hereby cancelled. It is further

ORDERED that the parties to this docket shall abide by the schedule of events set forth herein unless subsequently modified by this Commission. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission, this 12th
 day of MARCH, 1991.

STEVE TRIBBLE, Director
 Division of Records and Reporting

(S E A L)
 ABG

by: Kay Feign
 Chief, Bureau of Records

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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 sewer 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.