

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing to introduce) DOCKET NO. 910179-TL  
 Extended Calling Service (ECS) plan which )  
 allows the conversion of intraLATA toll ) ORDER NO. 24577  
 routes between exchanges of Tampa, Clear- )  
 water, Tarpon Springs and St. Petersburg ) ISSUED: 5/24/91  
 to 7-digit local measured service, by GTE )  
 FLORIDA, INC. (T-91-037 filed 1/29/91) )  
 )

ORDER ON PREHEARING PROCEDURE

Pursuant to the provisions of Rule 25-22.038, Florida Administrative Code, all parties and Staff are hereby required to file with the Director of Records and Reporting a prehearing statement on or before July 29, 1991. Each prehearing statement shall set forth the following:

- (a) all known witnesses that may be called and the subject matter of their testimony;
- (b) all known exhibits, their contents, and whether they may be identified on a composite basis and witness sponsoring each;
- (c) a statement of basic position in the proceeding;
- (d) a statement of each question of fact the party considers at issue and which of the party's witnesses will address the issue;
- (e) a statement of each question of law the party considers at issue;
- (f) a statement of each policy question the party considers at issue and which of the party's witnesses will address the issue;
- (g) a statement of the party's position on each issue identified pursuant to paragraphs (d), (e) and (f) and the appropriate witness;
- (h) a statement of issues that have been stipulated to by the parties;
- (i) a statement of all pending motions or other matters the party seeks action upon; and

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- (j) a statement as to any requirement set forth in this order that cannot be complied with, and the reasons therefore.

The original and fifteen copies of each prehearing statement must be received by the Director of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on July 29, 1991. Failure of a party to timely file a prehearing statement shall be a waiver of any issues not raised by other parties or by the Commission Staff. In addition, such failure shall preclude the party from presenting testimony in favor of his or her position on such omitted issues. Copies of prehearing statements shall also be served on all parties. Prehearing statements shall substantially conform to the Florida Rules of Civil Procedure requirements as to form, signatures, and certifications.

Each party is required to prefile all exhibits and all direct testimony it intends to sponsor in written form. Prefiled testimony shall be typed on standard 8 1/2 x 11 inch transcript quality paper, double spaced, with 25 numbered lines, in question and answer format, with a sufficient left margin to allow for binding. An original and fifteen copies of each witness' prefiled testimony and each exhibit must be received by the Director of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on the due date. Failure of a party to timely prefile exhibits and testimony from any witness in accordance with the foregoing requirements may bar admission of such exhibits and testimony. Copies of all prefiled testimony shall also be served by the sponsoring party on all other parties.

A final prehearing conference will be held on August 19, 1991, in Tallahassee. The conditions of Rule 25-22.038(5)(b), Florida Administrative Code, will be met in this case and the following shall apply:

Any party who fails to attend the final prehearing conference, unless excused by the prehearing officer, will have waived all issues and positions raised in his or her prehearing statement.

Any issue not raised by a party prior to the issuance of the prehearing order shall be waived by that party, except for good cause shown. A party seeking to raise a new issue after the issuance of

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the prehearing order shall demonstrate that: he or she was unable to identify the issue because of the complexity of the matter; discovery or other prehearing procedures were not adequate to fully develop the issues; due diligence was exercised to obtain facts touching on the issue; information obtained subsequent to the issuance of the prehearing order was not previously available to enable the party to identify the issue; and introduction of the issue could not be to the prejudice or surprise of any party. Specific reference shall be made to the information received, and how it enabled the party to identify the issue.

Unless a matter is not at issue for that party, each party shall diligently endeavor in good faith to take a position on each issue prior to issuance of the prehearing order. When a party is unable to take a position on an issue, he or she shall bring that fact to the attention of the prehearing officer. If the prehearing officer finds that the party has acted diligently and in good faith to take a position, and further finds that the party's failure to take a position will not prejudice other parties or confuse the proceeding, the party may maintain "no position at this time" prior to hearing and thereafter identify his or her position in a post-hearing statement of issues. In the absence of such a finding by the prehearing officer, the party shall have waived the entire issue. When an issue and position have been properly identified, any party may adopt that issue and position in his or her post-hearing statement.

To facilitate the management of documents in this docket, parties and Commission Staff shall submit an exhibit list with their respective prehearing statements. Exhibits will be numbered at the hearing. Each exhibit submitted shall have the following in the upper right-hand corner (for identification prior to the hearing): the docket number, the witness's name, the word "Exhibit" followed by a blank line for the Exhibit Number, the title of the exhibit, and a prehearing identification number consisting of the initials of the witness and a number.

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An example of the typical exhibit identification format is as follows:

Docket No. 870675-TL  
J. Doe Exhibit No. \_\_\_\_\_  
Cost Studies for Minutes Of Use by Time of Day  
(JXD-1)

The following dates have been established to govern the key activities of this proceeding in order to maintain an orderly procedure.

1. July 1, 1991 - Direct Testimony to be filed
2. July 15, 1991 - Staff Testimony, if needed
3. July 29, 1991 - Rebuttal Testimony to be filed
4. July 29, 1991 - Prehearing Statements to be filed
5. August 19, 1991 - Prehearing Conference
6. August 28, 1991 - All discovery completed
7. September 11 & 12, 1991 - Hearings to be held.

In addition, customer service hearings shall be held in this matter. Date(s) and location(s) for these customer service hearings, as well as appropriate notification requirements, are being developed at this time and shall be announced by subsequent order of the Prehearing Officer.

Attached to this order as Appendix "A" is a tentative list of the issues which will be addressed in this proceeding. Prefiled testimony and prehearing statements shall be addressed to the issues set forth in Appendix "A".

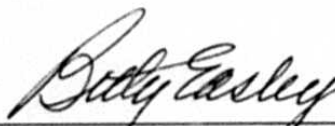
The hearing in this docket is presently set for September 11 & 12, 1991. Unless authorized by the Prehearing Officer for good cause shown, all discovery shall be completed by August 28, 1991. No discovery requests shall be served after July 24, 1991.

In addition, to facilitate their identification, all interrogatories, requests for admissions, and requests for

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production of documents shall be numbered consecutively. Each set of discovery requests shall be numbered sequentially from any previous set(s).

By ORDER of Betty Easley, Commissioner and Prehearing Officer,  
this 24th day of MAY, 1991.



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BETTY EASLEY, Commissioner  
and Prehearing Officer

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APPENDIX "A"

LIST OF ISSUES

1. What factors determine if GTE's Extended Calling Service (ECS) Plan should be evaluated as a local or toll plan?
2. What community of interest factors should be considered and how should they be evaluated in the determination of whether the ECS plan or some other plan is appropriate?
3. If GTE's ECS plan is considered toll service what requirements apply in the following areas: a) accounting, b) dialing patterns, c) payphones, d) cost recovery, e) resale?
4. If GTE's ECS plan is considered local service what requirements apply in the following areas: a) accounting, b) dialing patterns, c) payphones, d) cost recovery, e) resale?
5. What is the revenue impact of the ECS plan and should stimulation be included?
6. Should GTE's ECS plan be approved?
7. Is some alternative toll plan appropriate? If so, what plan, what is the revenue impact of such plan, and should stimulation be included?
8. What action should be taken on the tariff, what should be the effective date, and what notification should apply?