

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In Re: Comprehensive review of revenue requirements and rate stabilization plan of SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY.	)	DOCKET NO. 920260-TL
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In Re: Investigation into the integrity of SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY's repair service activities and reports.	)	DOCKET NO. 910163-TL
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In Re: Investigation into SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY's compliance with Rule 25-4.110(2), F.A.C., Rebates.	)	DOCKET NO. 910727-TL
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In Re: Show cause proceeding against SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY for misbilling customers.	)	DOCKET NO. 900960-TL
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In Re: Petition of INTERMEDIA COMMUNICATIONS OF FLORIDA, INC. for expanded interconnection for AAVs with LEC central offices.	)	DOCKET NO. 921074-TP
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In Re: Investigation into which local exchange company (LEC) services are effectively competitive in 1993.	)	DOCKET NO. 930046-TL
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In Re: Amendment of Rule 25-4.0345, F.A.C., Customer Premise Equipment and Inside Wire.	)	DOCKET NO. 930485-TL ORDER NO. PSC-93-1041-PCO-TL ISSUED: July 16, 1993
	)	
	)	

ORDER GRANTING MOTION TO DISQUALIFY  
COMMISSIONER THOMAS M. BEARD

On July 15, 1993, the Office of Public Counsel (OPC) filed a Motion to Disqualify Commissioner Thomas M. Beard (Motion). The Motion was filed in the seven above-referenced dockets and requests that Commissioner Beard be disqualified from further participation in all dockets in which BellSouth Telecommunications, Inc. d/b/a

DOCUMENT NUMBER-DATE

07658 JUL 1993

FILED IN DOCKET NO. 930046-TL

18

ORDER NO. PSC-93-1041-PCO-TL  
DOCKETS NOS. 920260-TL, 910163-TL, 910727-TL, 900960-TL, 921074-TP,  
930046-TL, 930485-TL  
PAGE 2

Southern Bell Telephone and Telegraph Company (Southern Bell) is a party, as well as all rulemaking proceedings affecting local exchange companies.

As grounds for its Motion, OPC states that it fears it will not receive a fair hearing before Commissioner Beard in matters concerning Southern Bell. OPC further asserts that the case law of Florida requires a judge to disqualify himself under these circumstances. Finally, OPC states that this case law applies to the Commission.

Upon review, I find the arguments presented in the Motion to be persuasive. Accordingly, I shall remove myself from all dockets in which Southern Bell is a party, as well as all rulemaking proceedings affecting local exchange companies.

Based upon the foregoing, it is

ORDERED by Commissioner Thomas M. Beard that the Motion to Disqualify Commissioner Thomas M. Beard filed July 15, 1993, by the Office of Public Counsel is hereby granted as set forth herein.

By ORDER of Commissioner Thomas M. Beard, this 16th day of July, 1993.

  
THOMAS M. BEARD, Commissioner

( S E A L )

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ORDER NO. PSC-93-1041-PCO-TL

DOCKETS NOS. 920260-TL, 910163-TL, 910727-TL, 900960-TL, 921074-TP,  
930046-TL, 930485-TL

PAGE 3

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 Commissioner or 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 wastewater 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.