

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Amendment of Rule 25-) DOCKET NO. 930485-TL
4.0345, F.A.C., Customer) ORDER NO. PSC-93-1541-PCO-TL
Premises Equipment and Inside) ISSUED: October 20, 1993
Wire, and Rule 25-4.040, F.A.C.,)
Telephone Directories; Directory)
Assistance.)
_____)

ORDER ESTABLISHING PROCEDURES TO BE FOLLOWED
AT RULEMAKING HEARING

I. Background

The Florida Public Service Commission has proposed to amend Rule 25-4.040, Florida Administrative Code, relating to simple inside wire maintenance, and Rule 25-4.040, Florida Administrative Code, which requires that certain information be included in the telephone directories distributed by local exchange companies. The Commission voted to propose the rule amendments on September 7, 1993. The rules were published in the Florida Administrative Weekly on September 17, 1993.

A rulemaking hearing is scheduled at the following time and place:

9:30 a.m. - Friday, October 22, 1993
Room 106, Fletcher Building
101 East Gaines Street
Tallahassee, Florida

The rulemaking hearing shall be governed by section 120.54, Florida Statutes, and by Chapter 25-22, Florida Administrative Code.

II. Hearing Procedures

1. The Commission will address all pleadings which ask for some relief other than holding the scheduled 120.54 rulemaking hearing on October 22, 1993.

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2. The Commission staff will present a summary of the proposed rule amendments and the economic impact statement. Following the staff presentation, affected persons will have the opportunity to direct questions to staff related to their presentation which are necessary to clarify and understand the presenter's position.

3. The first exhibit introduced into the record will be a composite exhibit prepared by staff, which will consist of the following documents:

FAW notice and proposed rules:

Materials provided to the Joint Administrative Procedures Committee in connection with the proposed rules, including:

statement of facts and circumstances justifying rules,

statement on federal standards,

statement of impact on small business,

economic impact statement;

Notice of rulemaking; and

Any material, including prefiled comments and attachments filed by recipients of this order, that may be submitted pursuant to Section 120.54(3)(a), Florida Statutes (Supp. 1992).

Due to the length of the exhibit, copies will not be distributed at the hearing. However, there will be several copies available for inspection.

3. Following the staff presentation, affected persons will have the opportunity to present evidence and argument. It may be necessary to impose time limits for presentations, depending upon the number of participants. If time permits, persons making presentations will be subject to questioning by staff and other parties. Such questions shall be limited only to those necessary to clarify and understand the presenter's position.

4. The order of presentation will be determined by the Chairman.

V. Posthearing Procedures

1. A transcript of the proceedings will be made available to the public on or about November 5, 1993, at the cost of \$0.10 per page.


2. Participants may file posthearing comments no later than November 19, 1993. Posthearing comments shall be typed on 8 1/2 inch x 11 inch transcript-quality paper, double spaced, with 25 numbered lines, on consecutively numbered pages, with left margins sufficient to allow for binding (1.25 inches).

An original and 15 copies of all posthearing comments shall be prefiled with the Director, Division of Records and Reporting by the close of business, which is 4:45 p.m., on the date due.

Based on the foregoing, it is

ORDERED that this Order shall govern the conduct of these proceedings, as set forth above, unless modified by the Commission.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 20th day of October, 1993.



Julia L. Johnson, Commissioner
and Prehearing Officer

(S E A L)

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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 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.