

FLORIDA CONSUMER ACTION NETWORK

ORIGINAL
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January 6, 1994

Steve Tribble, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399-0850

Re: Docket No. 920260-TL

Dear Mr. Tribble:

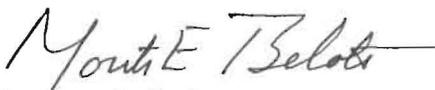
Enclosed for filing in the above-referenced docket on behalf of the Florida Consumer Action Network, Inc. ("FCAN") are the original and 15 copies of the FCAN's Motion Supporting Approval of Settlement Agreement.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

ACK _____
AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEA _____
LIT _____
OFC _____
RCH _____
SES _____
WAS _____
OTH _____

Enclosures

Sincerely,



Monte Belote
Executive Director

RECEIVED & FILED

EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

00244 JAN-6 94

FPSC-RECORDS/REPORTING



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition on behalf of) Docket No. 910163-TL
Citizens of the State of Florida)
to initiate investigation into)
integrity of Southern Bell)
Telephone and Telegraph Company's)
repair service activities and)
reports.)

In re: Comprehensive Review of) Docket No. 920260-TL
the Revenue Requirements and Rate)
Stabilization Plan of Southern)
Bell Telephone & Telegraph Company)

In re: Investigation into Southern) Docket No. 900960-TL
Bell Telephone and Telegraph)
Company's Non-Contact Sales)
Practices)

In re: Investigation into) Docket No. 910727-TL
Southern Bell Telephone and)
Telegraph Company's Compliance)
with Rule 25-4.110(2) (Rebates))
)

MOTION SUPPORTING APPROVAL OF SETTLEMENT AGREEMENT

COMES NOW Florida Consumer Action Network, Inc., ("FCAN"), and hereby files this Motion to have the Florida Public Service Commission (the "FPSC") approve the Stipulation and Agreement between the Office of Public Counsel and Southern Bell Telephone and Telegraph Company (the "Stipulation and Agreement") and to take all action specified therein. In support of this Joint Motion, FCAN shows the FPSC the following:

1. The FPSC has four dockets pending before it: FPSC Docket No. 920260-TL, Comprehensive Review of the Revenue Requirements and Rate Stabilization Plan of Southern Bell Telephone and Telegraph Company; Docket No. 900960-TL, Investigation into Southern Bell Telephone and Telegraph

DOCUMENT NUMBER-DATE

00244 JAN-63

FPSC-RECORDS/REPORTING

Company's Non-Contact sales Practices; Docket No 910163-TL
Petition on behalf of Citizens of the State of Florida to
Initiate Investigation into Integrity of Southern Bell Telephone
and Telegraph Company repair service activities and reports; and
Docket No. 910727-TL Investigation into Southern Bell Telephone
and Telegraph Company's Compliance with Rule 25-4.110(2)
(Rebates), all of which have been consolidated into Docket No.
920260-TL for the purpose of the conducting of hearings. (These
dockets will herein after be collectively referred to as the
"Southern Bell Rate Case.")

2. OPC, Southern Bell and various intervenors have expended a significant amount of time, money and resources in litigation of the Southern Bell Rate Case. These efforts have also resulted in a large demand placed upon the time and resources of the FPSC and its staff.

3. FCAN believes that an amicable resolution of the disputed matters in the Southern Bell Rate Case would be in the public interest. OPC and Southern Bell have negotiated a settlement of all of the various issues contained in the Southern Bell Rate Case. That settlement is set forth in the Stipulation and Agreement executed by OPC and Southern Bell on January 5, 1994.

4. Except as specifically noted in the Stipulation and Agreement, the Stipulation and Agreement resolves all issues in the Southern Bell Rate Case in a manner that is reasonable and in the best interests of all parties to the Southern Bell Rate Case,

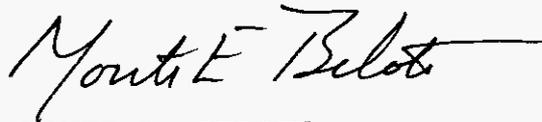
to Southern Bell's ratepayers and to the FPSC. In general, the terms of that Stipulation and Agreement call for: (1) Southern Bell to make specified rate reductions and a mechanism for determining the rate design for such rate reductions; (2) Southern Bell to take certain additional expenses for accounting purposes during calendar year 1993; (3) Southern Bell to withdraw its Expanded Local Service Plan; (4) Southern Bell to fund up to \$11 million in costs and revenue losses for rate relief on toll routes between Dade and Broward Counties; (5) the capping of certain rates through 1997; (6) specified sharing and after-sharing cap points during the duration of the Stipulation and Agreement; (7) the implementation by Southern Bell of a customer service guarantee plan; (8) the use of specified accounting procedures; (9) Southern Bell's establishing a reserve for catastrophic losses; (10) a specified increase in the number of Southern Bell's outside plant forces; (11) a mechanism by which OPC may, under specified circumstances, petition for a reduction in the sharing and after-sharing cap points set forth in the Stipulation and Agreement; (12) a closure of the three investigation dockets; (13) the leaving of Docket No. 920260-TL open only for specified purposes; and (14) a mechanism by which OPC or Southern Bell may, under specified circumstances, petition the FPSC to modify the Stipulation and Agreement.

5. Because the Stipulation and Agreement is in the best interest of Southern Bell's ratepayers, FCAN requests that the

FPSC expeditiously accept the Stipulation and Agreement as filed and thereupon take all action as specified therein.

WHEREFORE, FCAN respectfully requests that the FPSC grant the relief sought in this Motion.

Respectfully submitted,

A handwritten signature in black ink, reading "Monte E. Belote". The signature is written in a cursive style with a long horizontal flourish extending to the right.

MONTE E. BELOTE
Executive Director

Florida Consumer Action Network
4100 W. Kennedy Blvd. #128
Tampa, FL 33609-2243
(813) 286-1226

**CERTIFICATE OF SERVICE
DOCKET NO. 920260-TL**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following parties on this 6th day of January, 1994.

Marshall Criser, III
BellSouth Telecommunications,
Inc. (Southern Bell Telephone
& Telegraph Company)
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Tallahassee, FL 32301

Harris R. Anthony
BellSouth Telecommunications,
Inc. (Southern Bell Telephone
& Telegraph Company)
150 W. Flagler St., Suite 1910
Miami, FL 33130

Robin Norton
Division of Communications
Fla. Public Service Commission
101 East Gaines Street
Tallahassee, FL 32301

Doug Lackey
BellSouth Telecommunications,
Inc. (Southern Bell Telephone
& Telegraph Company)
4300 Southern Bell Center
Atlanta, GA 30375

Michael A. Gross
Department of Legal Affairs
Attorney General
The Capitol Bldg., PL-01
Tallahassee, FL 32399-1050

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Tallahassee, FL 32302

Angela Green
Tracy Hatch
Jean Wilson
Division of Legal Services
Fla. Public Service Commission
101 East Gaines Street
Tallahassee, FL 32301

Edward Paschall
Florida AARP Capital City Task
Force
1923 Atapha Nene
Tallahassee, FL 32301

The American Association of
Retired Persons
c/o Donald L. Bell
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Florida Pay Telephone Assn., Inc.
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Barnett Bank Bldg., Suite 710
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Vicki Gordon Kaufman
McWhirter, Grandoff & Reeves
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AFAD
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Chanthina R. Bryant
Sprint
3065 Cumberland Circle
Atlanta, GA 30339

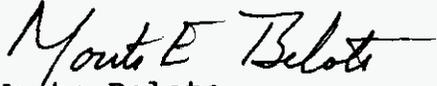
Michael W. Tye
AT&T Communications of the
Southern States, Inc.
106 East College Avenue
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Tallahassee, FL 32301

Florida Hotel and Motel Assn.
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Gatlin, Woods, Carlson
& Cowdery
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Tallahassee, FL 32308

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Winter Park, FL 32790-1148

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Blooston, Mordkofsky, Jackson
& Dickens
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Washington, DC 20037

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Monte Belote
Executive Director