

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation into) DOCKET NO. 920837-TL
proper tariffing of telephone) ORDER NO. PSC-94-0475-PCO-TL
service for elevators and common) ISSUED: April 20, 1994
areas within residential)
facilities.)
_____)

ORDER ALLOWING REBUTTAL TESTIMONY BY CENTEL/UNITED AND
SOUTHERN BELL TO TESTIMONY FILED BY R. EARL POUCHER

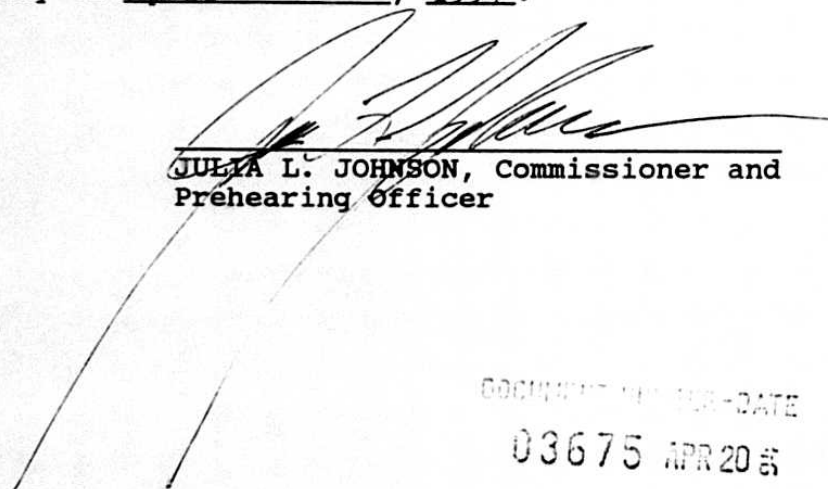
On March 23, 1994, the Office of Public Counsel (OPC) filed rebuttal testimony by Earl Poucher in this Docket. Mr. Poucher's testimony was filed after the date for prefiled direct testimony but prior to the date for rebuttal testimony. On April 6, 1994, Southern Bell filed a Motion for Leave to File Rebuttal Testimony to Mr. Poucher's testimony. In the alternative, Southern Bell moved to strike the testimony. Southern Bell also filed its rebuttal testimony. While Centel/United did not file a motion to rebut Mr. Poucher's testimony, like Southern Bell, Centel/United filed such testimony.

Having reviewed Mr. Poucher's testimony, it does appear that elements of it are in the nature of direct testimony. Moreover, neither OPC nor the Attorney General opposes the filing of testimony rebutting Mr. Poucher. Therefore, I find it appropriate to allow the rebuttal testimony of both Centel/United and Southern Bell.

Therefore, it is

ORDERED by Commissioner Julia L. Johnson as Prehearing Officer, that Southern Bell's and Centel/United's rebuttal testimony to Mr. Poucher's testimony shall be allowed.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 20th day of April, 1994.



JULIA L. JOHNSON, Commissioner and
Prehearing Officer

(S E A L)
CWM

DOCUMENT NO. 94-0475-PCO-TL
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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.