

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment)
of Certificate No. 427-W to add)
territory in Marion County by)
Windstream Utilities Company.)

Docket No. 960867-WU

WINDSTREAM UTILITIES COMPANY'S
MOTION TO STRIKE MARION COUNTY'S REPLY TO
WINDSTREAM'S RESPONSE TO MARION COUNTY'S
PETITION FOR LEAVE TO INTERVENE

WINDSTREAM UTILITIES COMPANY ("Windstream"), by and through its undersigned attorneys and pursuant to Rule 25-22.037, Florida Administrative Code, files this Motion to Strike the pleading entitled "Marion County's Reply to Windstream's Response to Marion County's Petition for Leave to Intervene" filed by Marion County ("County") in the above-referenced docket and states:

1. On January 13, 1997, Windstream filed a Response to the County's Motion for Leave to Intervene in this docket.
2. There is no Rule authorizing the filing of a Reply to a Response. In Order No. PSC-96-0348-FOF-SU, this Commission stated:

Moreover, our rules do not contemplate a reply to a response. The pleading cycle must stop at a reasonable point.

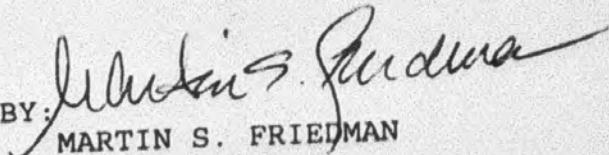
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FPSC-RECORDS/REPORTING

WHEREFORE, Windstream requests that this Commission strike the County's Reply and not to consider any argument set forth therein.

Respectfully submitted on this
17th day of January, 1997, by:

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BY: 
MARTIN S. FRIEDMAN
For the Firm

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CERTIFICATE OF SERVICE

Docket No. 960867-WU

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail (unless otherwise noted) to the following parties this 17th of January, 1997.

D. Cyrus-Williams
Florida Public Service Commission
Legal Division
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

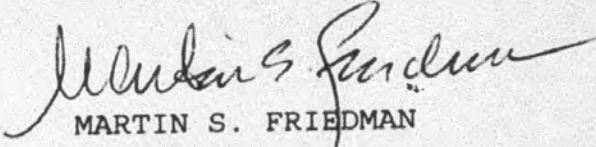
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