

Combined Companies, Inc.

March 7, 1997

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Delivered Via Overnight Delivery

Re: Combined Companies, Inc.
Docket No. 961458 / Order No. PSC-97-0179-FOF-TI

Dear Ms. Bayo:

This letter is in response to Combined Companies, Inc. 's (CCI) receipt, via Certified Mail, of your ORDER TO SHOW CAUSE¹, received by CCI on or about February 20, 1997.

After review of the order and its conclusions, as well as other information obtained by CCI (to include certain PSC (Public Service Commission) staff notes previously submitted to the commissioners), that presumably assisted in the Commissioners issuing its ORDER TO SHOW CAUSE, CCI respectfully believes that the findings and conclusions of the Commission as stated in its ORDER are inappropriate as to CCI.

Accordingly, and pursuant to Rule 25-22.037(1), Florida Administrative Code, in the form provided by Rule 25-22.036(7) (a) and (f), Florida Administrative Code, CCI, in protection of its interests, and in pursuit of a *comprehensive review of all of the facts² surrounding the issues raised by the ORDER*, hereby formally requests a formal proceeding, as soon as one can be convened.

ACK _____ CCI believes it is only through the convening of a formal proceeding that CCI can adequately and fairly present its specific allegations of fact and law in support of CCI's position that it

AFA _____

APP _____

CAF _____

CMU Initiation of show cause proceedings against Combined Companies, Inc. for violation of Rules 25-4.118, interexchange Carrier Selection, and 25-24.470, F.A.C., Certificate of Public Convenience and Necessity Required (Reference Order No. PSC-97-0170-FOF-TI)

CTR _____

EAG _____

LEG Combined Companies, Inc. (CCI) currently is awaiting the disposition of certain legal cases involving CCI and AT&T that specifically relate to the matters being reviewed by the Florida Public Service Commission. These include matters before the Federal Communications Commission (FCC) initiated by CCI and AT&T; and matters before the Federal Courts in the Southern District of New Jersey, where CCI has sought, and been granted injunctive relief against AT&T.

OPC _____

RCH _____

SEC _____

WAS _____

OTH _____

- 7061 West Commercial Blvd., Suite 5-K, Tamarac, FL 333

DOCUMENT NUMBER-DATE

02527 MAR 10 5

FPSC-RECORDS/REPORTING

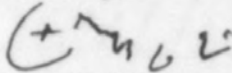
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should not be found in violation of any Florida Administrative Code of Statute. Furthermore, at a formal proceeding, CCI can challenge, through introduction of facts, not now known to the Commission, allegations made by AT&T, assumptions made by PSC staff members and others with whom the Commission has consulted, that are either incomplete or inaccurate. This would include testimony and other evidence from CCI that would clearly and conclusively indicate that:

- 1. At no time did CCI violate Rule 25-4.118, Florida Administrative Code, as that code relates specifically to "slamming";*
- 2. CCI should not be fined, pursuant to Section 364.285, Florida Statutes, for violations of Rule 25.4.118, F.A.C., Interexchange Carrier Selection, and Rule 25.24.471, F.A.C., Certificate of Public Convenience and Necessity Required, because of circumstances and other facts that would otherwise exempt CCI.*

In closing, CCI respectfully requests its pleading for Formal Proceeding be granted, as well as its demand for relief from the pending SHOW CAUSE ORDER - pending resolution of a Formal Proceeding.

Sincerely,



Larry G. Shipp
President

/LGS