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September 16, 1997

VIA HAND DELIVERY

Blanca S. Bayo, Director
Florida Public Service Commission
Division of Records and Reporting
2540 Shumard Oak Drive
Gerald L. Gunter Building
Tallahassee, Florida 32399-0850

Re: Docket No. 970841-TP

Dear Ms. Bayo:

Enclosed for filing and distribution are the original and fifteen copies of the Florida Competitive Carriers Association's Motion to Compel in the above docket.

Please acknowledge receipt of the above on the extra copy enclosed herein and return it to me. Thank you for your assistance.

Sincerely,

CAF _____
CMU W Vicki Gordon Kaufman
CTR _____ Vicki Gordon Kaufman

2 VGK/pw
5 Enclosures

RECEIVED & FILED

EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER - DATE

09430 SEP 16 97

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Complaint of MCI)
Telecommunications Corporation)
against GTE Florida Incorporated,)
for Anti-Competitive Practices)
Related to Excessive Intrastate)
Switched Access Pricing.)

Docket No. 970841-TP

Filed: September 16, 1997

**THE FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S
MOTION TO COMPEL**

The Florida Competitive Carriers Association (FCCA), pursuant to rule 1.380, Florida Rules of Civil Procedure, files this motion to compel GTE Florida, Inc. (GTE) to respond to FCCA's first set of interrogatories. As grounds therefor, FCCA states:

1. On August 26, 1997, the FCCA¹ propounded its first set of interrogatories (nos. 1-8) on GTE. On September 10, GTE filed what it termed a "response." In essence, GTE has not filed a response to any of FCCA's interrogatories but rather has objected to all of them.

2. The main basis for GTE's refusal to answer FCCA's interrogatories is that they are premature, pending a ruling on GTE's motion to dismiss MCI's petition. However, a pending motion to dismiss does not obviate a party's responsibility to respond to discovery.

3. Most of the substance of the interrogatories propounded by FCCA are covered by MCI's motion to compel, filed on September 15, 1997. Therefore, FCCA adopts and incorporates MCI's motion herein. Specifically, the majority of the information FCCA seeks is discussed in MCI's motion to compel answers to

¹FCCA's motion to intervene was granted in Order No. PSC-97-1010-PCO-TP on August 25, 1997.

DOCUMENT NUMBER-DATE


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FPSC-RECORDS/REPORTING

Interrogatory No. 32 (corresponding to FCCA interrogatory nos. 4 and 5), Interrogatory No. 34, (corresponding to FCCA interrogatory nos. 1, 2, 3) and Interrogatory No. 35 (corresponding to FCCA interrogatory nos. 6 and 7). The only difference between FCCA's and MCI's interrogatories is that FCCA seeks this information since 1989. As grounds for seeking the information from 1989 forward, FCCA believes it is necessary to have a historical view of how access revenues and toll revenues have been affected by various discounted plans offered by GTE.

4. The only information FCCA seeks that is not covered by MCI's motion is contained in Interrogatory No. 8. In that interrogatory, FCCA asks for the number of toll messages (broken into business and residential). This information is relevant for the reason discussed in paragraph 3 above.

WHEREFORE, FCCA adopts in its entirety MCI's motion to compel, in addition to the above discussion, and asks the prehearing officer to grant FCCA's motion to compel.


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Attorneys for Florida Competitive
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of The Florida Competitive Carriers Association's Motion to Compel has been furnished by hand delivery*, by fax** or by U.S. Mail to the following parties of record, this 16th day of September, 1997:

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