

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:

PROPOSED RULE 25-24.845, F.A.C.,  
CUSTOMER RELATIONS; RULES  
INCORPORATED, AND PROPOSED  
AMENDMENTS TO RULES 25-4.003,  
F.A.C., DEFINITIONS; 25-4.110,  
CUSTOMER BILLING; 25-4.118,  
F.A.C., INTEREXCHANGE CARRIER  
SELECTION; 25-24.490, CUSTOMER  
RELATIONS; RULES  
INCORPORATED

DOCKET ~~98000-TI~~

FILED OCTOBER 1<sup>st</sup>, 1997

**MOTION FOR ACCEPTANCE OF BUSINESS DISCOUNT PLAN'S OBJECTIONS TO  
THE ATTORNEY GENERAL AND CITIZENS' FIRST REQUEST FOR  
PRODUCTION OF DOCUMENTS (NOS. 1-13) FILED IN EXCESS OF THE TEN-  
DAY REQUIREMENT SPECIFIED IN ORDER NO. PSC-97-1071-PCO-TI**

COMES NOW, Business Discount Plan, Inc. ("BDP"), by its attorneys, and respectfully moves the Commission to accept BDP's Objections to Citizens' First Request for Production of Documents filed simultaneously with this Motion and, as grounds therefore, states as follows:

A. BDP did not engage counsel in this matter until after the ten-day deadline for objections, set forth in Order No. PSC-97-1071-PCO-TI (the "Order"), had past.

B. Neither BDP or its attorneys have been served with copie of the above-referenced Order in which the ten-day deadline was specified and, as a result, BDP was unaware of such deadline. This is presumably due to the change in the nature of this proceeding from an

investigative proceeding under §120.57, Florida Statutes, to a rulemaking proceeding under §120.54, Florida Statutes, pursuant to which BDP is arguably no longer a participant in this proceeding. According to the Records Division of the Commission, unless BDP intervenes in this proceeding, it will not receive any copies of documents filed in this proceeding. However, BDP has not and does not presently intend to intervene in this rulemaking proceeding.

C. Immediately upon learning of the ten-day deadline, BDP has filed, simultaneously with this motion, its Objections to Citizens' First Request for Production of Documents.

D. No prejudice to any party or participant in this proceeding has resulted from this inadvertent delay in the filing of BDP's objection.

E. The public interest will be served by the Commission's grant of this Motion.

WHEREFORE, BDP respectfully requests that its Objections to Citizens' First Request for Production of Documents be accepted by the Commission.

Dated this 1<sup>st</sup> day of October, 1997.

Respectfully submitted,

**BUSINESS DISCOUNT PLAN, INC.**

By: Canora T. Podd

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**CERTIFICATE OF SERVICE**

**Docket No. 970882-TI**

**I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail to the following parties on this First day of October, 1997.**

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