



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: October 2, 1997

TO: BLANCA BAYO, DIRECTOR OF RECORDS AND REPORTING

FROM: DIANA W. CALDWELL, DIVISION OF APPEALS *DWC*

RE: DOCKET NO. 970882-TI

RECEIVED

OCT 02 1997

3:15

FPSC - Records/Reporting

PSC-97-1199-PC-71

FILE NAME: 970882-0.WPD

Attached is an order to be issued as soon as possible.

DWC
Attachment

cc: Wanda Terrell

MUST GO TODAY

Wanda Terrell

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,
F.A.C., Customer Billing; 25-
4.118, F.A.C., Interexchange
Carrier Selection; 25-24.490,
F.A.C., Customer Relations;
Rules Incorporated.

DOCKET NO. 970882-TI
ORDER NO. PSC-97-1199-PCO-TI
ISSUED: October 3, 1997

**ORDER GRANTING MOTION BY BELL SOUTH TELECOMMUNICATIONS, INC.,
TO MODIFY PROCEDURAL SCHEDULE**

On September 12, 1997, Order No. PSC-97-1071-PCO-TI was issued granting the petition of the Attorney General and Public Counsel to investigate the practice of slamming. In addition, the Order also established the procedure for filing testimony. On September 26, 1997, BellSouth Telecommunications, Inc. (BellSouth), pursuant to Rule 25-22.037, Florida Administrative Code, filed a motion to modify procedural dates. Specifically, BellSouth requested in light of the fact that the rule development workshops do not conclude until November 20, 1997, that direct testimony and exhibits should not be filed until after the last workshop. BellSouth also requests all intervenors (whether utility or otherwise) be allowed to file direct testimony on November 24, 1997; that staff file testimony approximately three weeks later; and all rebuttal testimony be filed on January 5, 1998, along with the Prehearing Statements. The Motion is unopposed.

Upon consideration, I find BellSouth's modifications are appropriate. Therefore, BellSouth's Motion to Modify Procedure is granted with one change. The filing date for rebuttal testimony and prehearing statements is extended to January 7 from January 5, 1998.

Accordingly, testimony should be filed according to the following schedule: Direct testimony and exhibits of all parties, intervenors and other interested persons should be filed on November 24, 1997; Staff's direct testimony and exhibits should be filed on December 15, 1997, and all rebuttal testimony

DOCUMENT NUMBER-DATE

10145 OCT-35

FPSC-RECORDS/REPORTING

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should be filed on January 7, 1997, along with the Prehearing Statements.

Based upon the foregoing, it is

ORDERED that BellSouth's motion is granted as discussed in this order. It is further

ORDERED that the procedures for filing direct and rebuttal testimony and exhibits as set forth in Order No. PSC-97-1071-PCO-TI are modified to the extent discussed in this order. It is further

ORDERED that Order No. PSC-97-1071-PCO-TI is reaffirmed in all other respects.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 3rd Day of October, 1997.



Julia L. Johnson, Commissioner
and Prehearing Officer

(S E A L)

DWC

970882-0

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

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Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, 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.