



JACK SHRIVE
PUBLIC COUNSEL

STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

ORIGINAL

c/o The Florida Legislature
111 West Madison St.
Room 812
Tallahassee, Florida 32399-1400
850-488-9330

October 21, 1997

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

Re: Docket No. ~~980000-51~~

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of the First Motion to Compel Against Minimum Rate Pricing, Inc. by the Attorney General and the Citizens of Florida.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

- ACK
- AFA _____
- APP Caldwell
- CAF 2
- CMU
- CTR _____
- EAG _____
- LEG CJB:bsr
- LIN 5 Enclosures
- OPC _____
- RCH 1
- SEC 1
- WAS _____
- OTH _____

Sincerely,

Charles J. Beck
Deputy Public Counsel

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

10802 OCT 21 5

FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICES 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. ~~970002~~-T1

Filed: October 21, 1997

**FIRST MOTION TO COMPEL AGAINST MINIMUM RATE PRICING, INC,
BY THE ATTORNEY GENERAL AND THE CITIZENS OF FLORIDA**

Robert A. Butterworth, Attorney General ("Attorney General") and the Citizens of Florida ("Citizens"), by and through Jack Shreve, Public Counsel, request the Florida Public Service Commission ("Commission") to order Minimum Rate Pricing, Inc. to immediately produce all of the documents requested in the First Set of Requests for Production of Documents by the Attorney General and the Citizens to Minimum Rate Pricing, Inc. In support of this motion, the Attorney General and the Citizens submit the following:

1. Minimum Rate Pricing, Inc., holds certificate of convenience #4417 issued by the Florida Public Service Commission.

2. On September 11, 1997, the Attorney General and the Citizens served our first set of requests for production of documents to Minimum Rate Pricing, Inc. Service

DOCUMENT NUMBER-DATE

10002 OCT 21 5

FPSC-RECORDS/REPORTING

was effected by mailing an original and one copy of the requests for production of documents to Mr. Drew Kenna, Vice President, Minimum Rate Pricing, Inc., P.O. Box 8000, Bloomfield, NJ 07003. The Commission lists Mr. Kenna as the person to contact for matters related to the company.

3. The request for production of documents required the production of documents on or before Thursday, October 16, 1997.

4. Minimum Rate Pricing, Inc., filed no objections to the request for production of documents, but neither did Minimum Rate Pricing, Inc., provide any documents or response to the request for production of documents.

WHEREFORE, the Attorney General and the Citizens respectfully request the Commission to order Minimum Rate Pricing, Inc., to immediately produce all of the documents requested in the First Set of Requests for Production of Document by the Attorney General and the Citizens to Minimum Rate Pricing, Inc.

Respectfully submitted,

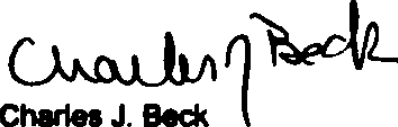
ROBERT A. BUTTERWORTH
Attorney General

MICHAEL A. GROSS
Assistant Attorney General
Fla. Bar No. 0199461

Office of the Attorney General
PL-01 The Capitol
Tallahassee, FL 32399-1050

(850) 488-5899
FAX (850) 488-6589

JACK SHREVE
Public Counsel


Charles J. Beck
Deputy Public Counsel
Fla. Bar No. 217281

Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street
Room 812
Tallahassee, FL 32399-1400

(904) 488-9330

**CERTIFICATE OF SERVICE
Docket No. 970682-TL**

**I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail
or hand-delivery to the following parties on this 21th day of October, 1997.**

**Michael A. Gross
Assistant Attorney General
Department of Legal Affairs
PL-01, The Capitol
Tallahassee, FL 32399-1050**

**Diana Caldwell, Esq.
Division of Appeals
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850**

**Marsha Rule, Esq.
Tracy Hatch, Esq.
AT&T Communications of the
Southern States, Inc.
101 N. Monroe
Suite 700
Tallahassee, FL 32301**

**Walter D'Haeseleer
Director of Communications
Florida Public Service
Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850**

**C. Everett Boyd, Jr.
Ervin, Varn, Jacobs & Ervin
Post Office Drawer 1170
Tallahassee, FL 32302**

**Benjamin Fincher
Sprint Communications Company
3100 Cumberland Circle
Atlanta, GA 30339**

**Patrick K. Wiggins
Wiggins & Villacorta, P.A.
501 East Tennessee Street
Suite B
Post Office Drawer 1657
Tallahassee, FL 32302**

**Ky E.B. Kirby
Warren A. Fitch
Don W. Blevins
SWIDLER & BERLIN, CHTD.
3000 K Street, N.W.
Washington, D.C. 20007**

**Robert G. Beatty
Nancy B. White
c/o Nancy Sims
150 South Monroe Street, #400
Tallahassee, FL 32301**

**Richard D. Nelson
P.O. Box 6526
Tallahassee, FL 32314**

Thomas K. Bond
MCI Telecommunications Corp.
780 Johnson Ferry Road
Suite 700
Atlanta, GA 30342

Suzanne Fannon Summerlin
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301

Greg L. Eriksen
Levine & Eriksen
2560 North Santiago Blvd.
Orange, California 92667

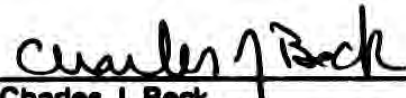
Pamela Melton
Regulatory Counsel
LCI International Telecom Corp.
8180 Greensboro Drive, Suite 800
McLean, Virginia 22101

Charles Rehwinkel
Sprint/United Florida
Sprint/Centel Florida
P.O. Box 2214
Tallahassee, FL 32316

Michael L. Glaser
Canora T. Podd
Haligman and Lottner, P.C.
First Interstates Tower North
633 Seventeenth Street, Suite 2700
Denver, CO 80202

Joseph A. McGlothlin
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas, P.A.
117 South Gadsden Street
Tallahassee, FL 32301

Andrew O. Isar
Director, Industry Relations
Telecommunications Reseller Assoc.
4312 92nd Avenue, N.W.
Gig Harbor, WA 98335-4461



Charles J. Beck