

Public Service Commission

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DATE: October 21, 1997
 TO: BLANCA BAYO, DIRECTOR OF RECORDS AND REPORTING
 FROM: DIANA CALDWELL, DIVISION OF APPEALS
 RE: DOCKET NO. 970881-TI 970882-TI PSC-97-1304-REC-TI

FILE NAME: ORBDP882.DWC

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

DWC
Attachment

cc: Wanda Terrell

see l etc.

NOT TO BE REPRODUCED

TJ'S

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-97-1304-PCO-TI
ISSUED: October 22, 1997

ORDER ACCEPTING LATE FILED OBJECTIONS

BY THE COMMISSION:

On October 2, 1997, Business Discount Plan, Inc. (BDP), filed a Motion for Acceptance of Business Discount Plan's Objections to the Attorney General and Citizens' First Request for Projection of Documents Filed in Excess of the Ten-Day Requirement Specified In Order No. PSC-97-1071-PCO-TI. In its motion BDP stated that it had not obtained counsel until after the ten-day deadline set forth in Order No. PSC-97-1071-PCO-TI ("Order") had passed. BDP stated that neither it nor its attorneys were served with copies of the Order. BDP did file its objections as soon as it learned of the deadline. Finally, BDP states no prejudice to any party has resulted in the delay.

On October 10, 1997, the Attorney General and the Citizens of Florida filed a Motion to Compel against BDP. The Attorney General and Citizens did not object to the late filing.

Upon consideration of the unusual procedural nature of this particular docket, the arguments made by BDP, and because no argument has been presented showing harm to any other party, I accept BDP's late filing of objections. This acceptance does not, however, decide the merits of its objections. Only that the objections will be considered.

DOCUMENT NUMBER-DATE

10811 OCT 22 5

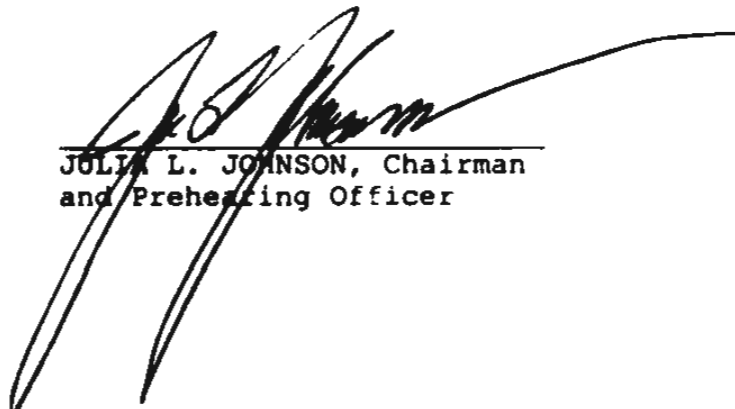
FPSC-RECORDS/REPORTING

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It is therefore,

ORDERED that Business Discount Plan's Objections to the Attorney General's 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 be accepted.

By ORDER of Chairman Julia L. Johnson, as Prehearing Officer this 22nd day of October, 1997.



JULIA L. JOHNSON, Chairman
and Prehearing Officer

(S E A L)

DWC

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.

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

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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.