

3. The scope of the more general show cause proceeding to be conducted in Docket No. 971487-TI logically will encompass the specific allegations of the complaint filed in Docket No. 971403-TI. Therefore, the facts and circumstances surrounding Mr. Howe's situation will be considered in both.

4. In each of the two proceedings, LCI will present evidence regarding LCI's practices and procedures with respect to the marketing of its services, and the policies and procedures LCI has designed to comply with the Commission's requirements. The evidence that LCI intends to offer to demonstrate it conducts business in a manner designed to comply with Rule 25-24.118(1), Florida Administrative Code, will be relevant to the broader inquiry in Docket No. 971487-TI.

5. Absent consolidation, LCI would be exposed to the possibility of facing a charge of having violated a Commission rule twice for the same factual circumstances. The alternative of excluding Mr. Howe's complaint from the scope of the show cause proceeding would subject the Company to the requirement that it incur the time and expense of defending itself in two proceedings instead of one for no good reason.

6. For reasons of fairness, as well as those of economy and efficiency, the above dockets should be consolidated. A single procedural schedule should govern both dockets.

WHEREFORE, LCI requests the Commission to issue an order consolidating Docket Nos. 971403-TI and 971487-TI, and holding the current case schedule in Docket No. 971403-TI in abeyance pending the preparation of a revised procedural schedule governing both dockets.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of LCI's foregoing Motion to Consolidate has been furnished by United States mail or hand delivery(*) this 3rd day of December, 1997:

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