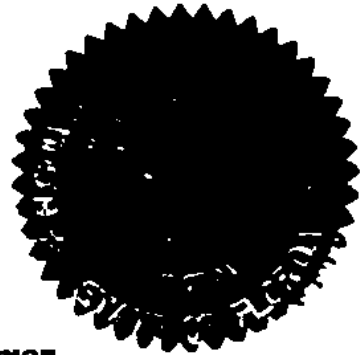


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of :
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Request for review of :
proposed numbering plan :
relief for 813 area :
code. :

DOCKET NO. 980048-TL



PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: CHAIRMAN JULIA L. JOHNSON
Prehearing Officer

DATE: Wednesday, February 18, 1998

TIME: Commenced at 9:35 a.m.
Concluded at 9:45 a.m.

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: JOY KELLY, CSR, RPR
Chief, Bureau of Reporting

1 **APPEARANCES:**

2 **CHARLIE BECK**, Deputy Public Counsel, Office
3 of Public Counsel, 111 West Madison Street, Room 812,
4 Tallahassee, Florida 32399-1400, appearing on behalf
5 of the Citizens of the State of Florida.

6 **KIM CASWELL**, P. O. Box 110, FLTC0007, Tampa,
7 Florida 33601-011, appearing on behalf of **GTE Florida**
8 **Incorporated**.

9 **RICHARD D. NELSON**, Hopping Green Sams and
10 Smith, Post Office Box 6526, Tallahassee, Florida
11 32314, appearing on behalf of **MCI Telecommunications**
12 **Corporation and MCI Metro Access Transmission**
13 **Services, Inc.**

14 **MARK A. LOGAN**, Bryant, Miller & Olive, P.A.,
15 201 South Monroe Street, Suite 700, Tallahassee,
16 Florida 32301, and **MARSHA RULE**, 101 East College
17 Avenue, Suite 700, Tallahassee, Florida 32301,
18 appearing on behalf of **AT&T Communications of the**
19 **Southern States, Inc.**

20 **MARTHA CARTER BROWN**, Florida Public Service
21 Commission, Division of Legal Services, 2540 Shumard
22 Oak Boulevard, Tallahassee, Florida 32399-0870,
23 appearing on behalf of the **Commission Staff**.

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P R O C E E D I N G S

(Hearing convened at 9:35 a.m.)

CHAIRMAN JOHNSON: We're going to go ahead and get started. Counsel, could you read the notice, please?

MS. BROWN: By notice issued January 28th, 1998, this time and place was set for the prehearing conference in Docket No. 980048-TL, "In re: Request for review of proposed numbering plan relief for the 813 area code." The purpose of the prehearing conference is set out in the notice.

CHAIRMAN JOHNSON: Okay. Take appearances.

MR. BECK: Charlie Beck, Office of the Public Counsel, 111 West Madison Street, Room 812, Tallahassee, Florida, appearing on behalf of the Florida Citizens.

MS. CASWELL: Kim Caswell for GTE, One Tampa City Center, Tampa, Florida 33601.

MR. NELSON: Richard Nelson of the law firm Hopping Green Sams & Smith, Tallahassee, appearing on behalf of MCI Telecommunications Corporation and MCI Metro Access Transmission Services.

I'd also like to enter an appearance for Thomas K. Bond of MCI Telecommunications Corporation who will be representing the company at the final

1 hearing.

2 **MR. LOGAN:** Mark Logan, law firm of Bryant,
3 Miller & Olive, on behalf of AT&T Communications of
4 the Southern States. And I'd also like to enter an
5 appearance on behalf of Marsha Rule, in-house counsel
6 for AT&T.

7 **MS. BROWN:** Martha Carter Brown on behalf of
8 the Florida Public Service Commission Staff.

9 **CHAIRMAN JOHNSON:** Are there any preliminary
10 matters?

11 **MS. BROWN:** There are two, Madam Chairman.
12 One with respect to Senator Latvala's request to be
13 excused from the prehearing conference. He has other
14 obligations this morning. As far as I know, the
15 parties and the Staff have no objection to his being
16 excused.

17 **CHAIRMAN JOHNSON:** Okay. Show that then
18 noted and authorized.

19 **MS. BROWN:** Also yesterday AT&T filed a
20 Motion for Acceptance of a Late Prehearing Statement.
21 They have polled all of the parties and my
22 understanding is that no one objects, and Staff does
23 not object.

24 **CHAIRMAN JOHNSON:** Do we have that --

25 **MS. BROWN:** Yes, it has been filed. They

1 have not identified any new issues.

2 **CHAIRMAN JOHNSON:** Okay.

3 **MS. BROWN:** There's really nothing new.
4 They have just stated their position. And I don't
5 think the parties would be harmed in any way.

6 **CHAIRMAN JOHNSON:** Any rationale for the
7 late-filed?

8 **MS. BROWN:** They forgot.

9 **MR. LOGAN:** It was an inadvertence on a
10 date.

11 **CHAIRMAN JOHNSON:** Since it's you,
12 Mr. Logan, we'll allow it. Had it been Ms. Rule -- it
13 would be a different story. (Laughter) We'll allow
14 it.

15 Any other preliminary matters?

16 **MS. BROWN:** Unless the matters have
17 something else, I think that's all.

18 **CHAIRMAN JOHNSON:** Then I guess the best way
19 then to proceed is to go page by page. To the extent
20 there's a correction or change that needs to be made,
21 if you could just bring that to my attention and we'll
22 take care of it in the proper course.

23 Page 2 is the case background and procedure
24 for handling confidential information. Page 3, the
25 posthearing procedure starts there. Page 4, the

1 prefiled testimony and exhibits. Any changes to the
2 prefiled testimony or exhibits? Page 5, basic
3 positions. Any changes by Public Counsel, GTE or MCI?
4 None?

5 Page 6, we will, I guess, insert AT&T's
6 information?

7 **MR. LOGAN:** That's would certainly be our
8 request. And AT&T also has one witness that's for
9 direct testimony on both issues.

10 **CHAIRMAN JOHNSON:** Okay.

11 **MS. BROWN:** I'll get with AT&T and -- it
12 should be in their prehearing statement and I'll
13 incorporate it in the final draft.

14 **CHAIRMAN JOHNSON:** Okay. We have him
15 testifying, Latvala.

16 Issues and positions. Issue 1. Any changes
17 there? I know we'll be inserting AT&T's, MCI's. I
18 did note a couple of typos, but, Counsel, I'm sure
19 you'll go back through it.

20 **MS. BROWN:** Yes. And if any of the parties
21 find one, if they will let me know that, it will be
22 helpful.

23 **CHAIRMAN JOHNSON:** Issue 2, any changes?

24 **MR. NELSON:** No changes.

25 **CHAIRMAN JOHNSON:** We'll be adding AT&T's.

1 Now, did Latvala intend to submit something on Issue
2 2?

3 **MS. BROWN:** I don't think so, Madam
4 Chairman. Perhaps Mr. Beck would know.

5 **MR. BECK:** He's taken no position at this
6 time.

7 **CHAIRMAN JOHNSON:** On Page 9, exhibit list.
8 Do you have any exhibits, Mr. Logan?

9 **MR. LOGAN:** No, ma'am.

10 **CHAIRMAN JOHNSON:** MCI?

11 **MR. NELSON:** No, ma'am.

12 **MR. BECK:** Commissioner, I believe Senator
13 Latvala had an exhibit attached to his testimony which
14 was a statement that he prepared. In fact, in his
15 testimony and the prehearing statement he has asked if
16 he could deliver that personally at the hearing, so he
17 wanted to have that raised this morning.

18 **CHAIRMAN JOHNSON:** He's going to want to --
19 I'm sorry.

20 **MR. BECK:** He has a statement that he
21 prepared, and it's attached to his prefiled testimony.
22 He'd like to deliver that statement at the hearing in
23 Tampa.

24 **MS. BROWN:** Staff has no problem with that.
25 I would like to discuss, perhaps later, with Mr. Beck

1 the possibility of removing that as an exhibit to his
2 direct testimony and including it -- he can file it in
3 the public-hearing part of the hearing, if that's all
4 right. It's really a technicality but I don't know
5 if --

6 **MR. BECK:** We can get together with Ron
7 Ogden, I've got his phone number. We could work that
8 out.

9 **MS. BROWN:** All right.

10 **CHAIRMAN JOHNSON:** I'm sure we can work that
11 out.

12 **CHAIRMAN JOHNSON:** Any pending motions?

13 **MS. BROWN:** No, there are no pending
14 motions, except for AT&T's -- that you've just ruled
15 on. I do -- wanted to mention that -- for your
16 information that I will be discussing with the parties
17 the question of waiving the filing of briefs after the
18 testimony in order to speed up the posthearing
19 process. . just would like the parties to start
20 considering that.

21 I know in the 305 case we did that because
22 we were also into a time crunch. And I just wanted to
23 mention I'll be asking the parties about that.

24 **CHAIRMAN JOHNSON:** Okay. Now, will the
25 parties or do the parties intend to make any opening

1 statements?

2 MR. NELSON: No, ma'am.

3 MS. CASWELL: GTE doesn't.

4 CHAIRMAN JOHNSON: You may want to think
5 about that and consider that.

6 MS. CASWELL: Yeah. Well, in light of what
7 Martha said about briefs, I would prefer to do briefs.
8 I would, you know, on initial impression, object to
9 not doing briefs. But, you know, maybe we have some
10 leeway. If we made some statements at the hearing
11 instead of briefs. But I would prefer to do briefs
12 even if it were in a shorter time period than unusual.

13 CHAIRMAN JOHNSON: As to the opening
14 statements, I think that would be a good idea for two
15 reasons. We'll have a lot of customers there and it
16 will be a good opportunity to educate not only the
17 Commissioners, but also those customers. And it will
18 also be televised for those that can't attend, and for
19 them to just - I'd like for them to have the entire
20 context of the proceeding, who you represent, what
21 your positions are, so that everything can be clearly
22 understood and information given for both the citizens
23 and the Commissioners.

24 Now, on the briefs. I'm flexible if we can
25 do it expeditiously. I know that was your concern,

1 that we're going to try to do a quick turnaround here.
2 Do we have that kind of time?

3 MS. BROWN: As my understanding is that GTE
4 has already initiated extraordinary jeopardy measures
5 to protect the remaining numbers in 813, and so that's
6 the push. We have a very short time period to
7 implement whatever relief plan is going to be adopted
8 by the Commission. And I know that we were in the
9 same situation in the 305 case and determined that
10 that would help us save a couple of weeks.

11 Maybe I shouldn't have brought it up before
12 I discussed it with everyone, but I just wanted to
13 have everyone start thinking about it. And we could
14 bring to you, at the close of the hearing, whatever
15 consensus we've reached, and suggest a final
16 resolution then.

17 CHAIRMAN JOHNSON: I think that's a good
18 process. And that will give GTE and the other parties
19 an opportunity to think about it. And maybe during
20 even the course of the proceeding they can determine
21 whether they need it or not, and how much time they
22 would need to prepare those briefs.

23 We'll just leave that open for now. We're
24 not overruling the idea of having them. We just will
25 think about it and delay the vote on that later.

1 Okay. Anything else?

2 Okay. Then this prehearing is adjourned.

3 Thank you very much.

4 (Thereupon, the hearing concluded at

5 9:45 a.m.)

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1 STATE OF FLORIDA)
2 COUNTY OF LEON)

CERTIFICATE OF REPORTER

3 I, JOY KELLY, CSR, RPR, Chief, Bureau of
4 Reporting, Official Commission Reporter,

5 DO HEREBY CERTIFY that the Prehearing
6 Conference in Docket No. 980048-TL was heard by the
7 Prehearing Officer at the time and place herein
8 stated; it is further

9 CERTIFIED that I stenographically reported
10 the said proceedings; that the same has been
11 transcribed by me; and that this transcript,
12 consisting of 11 pages, constitutes a true
13 transcription of my notes of said proceedings.

14 DATED this 19th day of February, 1998.

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JOY KELLY, CSR, RPR
Chief, Bureau of Reporting

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