



Public Service Commission

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

DATE: March 13, 1998
TO: Wesley R. Parsons
Albert T. Gimbel
Elliott Messer
FROM: Beth Keating BK NCB
RE: Docket No. 951232-TI - Dade County Circuit Court referral of certain issues in Case No. 92-11654(Transcall America, Inc., d/b/a ATC Long Distance v. Telecommunications Services, Inc. And Telecommunications Services, Inc. v. Transcall America, Inc., d/b/a ATC Long Distance) that are within the Commission's jurisdiction.

VIA FACSIMILE

After reviewing the discovery that has been served in this docket and speaking to counsel for both parties, staff has become concerned that, perhaps, we should revisit the issues to be resolved in this proceeding. We believe that it would be appropriate to add a legal issue to the list of approved issues. We also believe that a minor modification should be made to an issue that has already been approved in order to more clearly define the scope of the matters to be addressed. As such, we have prepared a revised list of issues for your consideration.

With regard to the proposed legal issue, we realize that this could be covered by the parties in their post-hearing briefs in addressing the last issue. However, we believe it would be better to identify this at the outset as an issue for resolution in this proceeding.

ACK \_\_\_\_\_ In proposing these revisions, we hope to further clarify for the Commission the matters
AFA \_\_\_\_\_ that need to be addressed in this docket.
APP \_\_\_\_\_
CAF \_\_\_\_\_ A conference call has been scheduled for Wednesday, March 18, 1998, at 3:00 p.m. to
CMU \_\_\_\_\_ discuss staff's proposed revisions. The call-in number is:
CTR \_\_\_\_\_ Suncom (850) 291-6455
EAG \_\_\_\_\_ NonSuncom (850) 921-6455
LEG \_\_\_\_\_ I ask that you fax any revisions or additions that you may have to this list to me by
LIN \_\_\_\_\_ Tuesday afternoon. My fax number is (850) 413-6213. If you have any questions or concerns,
OPC \_\_\_\_\_ I may be reached at (850) 413-6212.
RCH \_\_\_\_\_
SEC \_\_\_\_\_
WAS \_\_\_\_\_ BK:bk
OTH \_\_\_\_\_ ec: Ann Shelfer
Laura Hackney
Denise Vandiver

DOCUMENT NUMBER-DATE
03247 MAR 16 88
FPSC RECORDS/REPORTING

## Staff's Proposed Revised Issues

### **LEGAL**

1. *What is the extent of the Commission's jurisdiction over the parties' disputes relating to contractual obligations between TSI and Transcall?*

### **FACTUAL**

2. *Did Transcall improperly bill TSI's customers in excess of or violation of the applicable tariffs or the contract between the parties for intrastate traffic?*
3. *If overcharges occurred, what is the amount of such overcharges, including any applicable interest?*
4. *If payments were made on any amount overbilled, who paid and who received the overpayments?*
5. *After accounting for any overbilling, refunds, settlements or other offsets that may be applicable, what amount, if any, does TSI owe Transcall for the services it received?*

**Italicized portions indicate additions to previously approved issues.**