

MEMORANDUM

April 6, 1998

RECEIVED

APR 06 1998

3:20

FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (BROWN) *MB*
RE: DOCKET NO. 980048-TL - REQUEST FOR REVIEW OF PROPOSED
NUMBERING PLAN RELIEF FOR 813 AREA CODE.

98-0486-PCO-TL

Attached is an ORDER DENYING MOTION TO ACCEPT LATE FILE EXHIBIT, to be issued in the above referenced docket. (Number of pages in order - 2)

MCB/anr
Attachment
cc: Division of Communications
I: 980048lf.mcb

MUST GO TODAY

4 fax
3 mail

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 980048-TL
ORDER NO. PSC-98-0486-PCO-TL
ISSUED: April 6, 1998

ORDER DENYING MOTION TO ACCEPT LATE FILED EXHIBIT

On March 6, 1998, the Office of Public Counsel (OPC) filed a Motion to Accept Late Filed Exhibit, consisting of letters from State Senator Jack Latvala and Pasco County Administrator John Gallagher. The letters contained Senator Latvala's and Mr. Gallagher's support of a particular option for relief of the impeding exhaustion of numbers in the 813 area code. No party to the proceeding responded to the motion.

The letters that are the subject of OPC's motion were not requested at the hearing by any party or by the Commission. They were not sponsored by any witness at the hearing, and the positions they contain are not sworn testimony. The record is now closed, and the parties do not have the opportunity to conduct cross-examination on the letters. They are thus not properly admissible into the formal record of the 813 proceeding. OPC's motion to admit them as evidence in the formal record is accordingly denied, but the letters will be inserted into the correspondence side of the file, along with all other letters the Commission has received regarding this case.

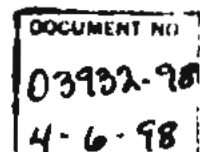
By ORDER of Chairman Julia L. Johnson, as Prehearing Officer,
this 6th day of April, 1998.



JULIA L. JOHNSON
Chairman and Prehearing Officer

(S E A L)

MCB



ORDER NO. PSC-98-0486-PCO-TL
DOCKET NO. 980048-TL
PAGE 2

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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida 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.