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DEC 22 PM 4:43

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150 South Monroe Street
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Tallahassee, Florida 32301
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RECORDS AND
REPORTING

December 22, 1998

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 980800-TP (Supra Collocation)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Motion to Strike Supra's Exceptions/Objections to Staff Recommendations, which we asked that you file in the captioned matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White (ke)

Nancy B. White

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

NBW:jn
Enclosure

cc: All parties of record
A. M. Lombardo
William J. Ellenberg II

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RECORDS AND REPORTING

**CERTIFICATE OF SERVICE
Docket No. 980800-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by

* Facsimile and Federal Express this 22nd day of December, 1998 to the following:

Beth Keating, Esq. *
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2540 Shumard Oak Blvd.
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(850) 413-6199
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117 South Gadsden Street
Tallahassee, Florida 32301

Nancy B. White (kr)
Nancy B. White

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Emergency Relief of Supra) Docket No. 980800-TP
Telecommunications and Information)
Systems, Inc., Against BellSouth)
Telecommunications, Inc.)
_____) Filed: December 22, 1998

**BELLSOUTH TELECOMMUNICATIONS, INC.'S MOTION TO STRIKE
SUPRA'S EXCEPTIONS/OBJECTION TO STAFF RECOMMENDATIONS**

BellSouth Telecommunications, Inc. ("BellSouth"), hereby files, pursuant to Rule 25-22.037 (2) (b), Florida Administrative Code, its Motion to Strike Supra Telecommunications & Information Systems, Inc.'s ("Supra") Exceptions/Objections to Staff Recommendations and , in support thereof, states the following:

1. On December 3, 1998, the Staff of the Florida Public Service Commission ("Commission") issued its recommendation in the above captioned matter.
2. On December 15, 1998, the Commission, at the regular agenda, voted on the contents of the Staff recommendation.
3. On December 15, 1998, Supra filed Exceptions/Objections to the Staff Recommendation pursuant to Rule 25-22.056, Florida Administrative Code.
4. Rule 25-22.056, Florida Administrative Code governs post-hearing filings. The sole mention of exceptions in the rule is that when a hearing is conducted before a commissioner sitting as a hearing officer or by the Division of Administrative Hearings, the parties may file exceptions to the recommended or

proposed order provided for in Rule 25-22.056 (4) (2). See Rule 25-22.056 (4)
(b).

5. The above captioned matter was heard before a panel of commissioners, not a commissioner acting as a hearing officer. Therefore, Rule 24-22.056 does not apply to the instant matter and Supra's Exceptions should be struck as inappropriate and as not allowed by law.

Wherefore, BellSouth requests the Commission grant BellSouth's Motion to Strike Supra's Exceptions.

Respectfully submitted this 22nd day of November 1998.

BELLSOUTH TELECOMMUNICATIONS, INC.

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