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February 22, 1999

Ms. Blanca S. Bayo, Director
Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 930696-TP
Determination of the cost of basic local telecommunications service,
pursuant to Section 364.025, Florida Statutes

Dear Ms. Bayo:

Please find enclosed an original and fifteen copies of GTE Florida Incorporated's Motion to Strike Joint Response of AT&T, e.s.pire, FCCA, FCTA, MCI, and WorldCom to GTE Florida, Inc.'s Response in Support of Sprint Florida's Motion For Reconsideration for filing in the above matter. Service has been made as indicated on the Certificate of Service. If there are any questions regarding this filing, please contact me at (813) 483-2617.

Very truly yours,

Anthony P. Gillman

Kimberly Caswell

KC:tas
Enclosures

A part of GTE Corporation

DOCUMENT FILED DATE

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FEDERAL BUREAU OF INVESTIGATION

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Determination of Cost of Basic Local
Telecommunications Service, Pursuant to
Section 364.025, Florida Statutes)
_____)

) Docket No. 980696-TP
) Filed: February 22, 1999
)

**GTE FLORIDA INCORPORATED'S MOTION TO STRIKE
JOINT RESPONSE OF AT&T, E.SPIRE, FCCA, FCTA, MCI,
AND WORLDCOM TO GTE FLORIDA, INC.'S RESPONSE IN
SUPPORT OF SPRINT FLORIDA'S MOTION FOR RECONSIDERATION**

Pursuant to Commission Rule 25-22.037(2), GTE Florida Incorporated (GTEFL) asks the Commission to strike the Joint Response of AT&T, e.spire, FCCA, FCTA, MCI, and WorldCom to GTE Florida, Inc.'s Response in Support of Sprint Florida's Motion for Reconsideration ("AT&T Response to Response"), filed on February 15, 1999.

AT&T and the others' Response to GTEFL's Response to Sprint's Motion for Reconsideration is procedurally improper. Commission Rules do not permit a response to a response to a motion for reconsideration. They allow only a "response to a motion for reconsideration." (Commission Rule 25-22.0376(2).) The Commission should thus strike (or otherwise disregard) AT&T et al.'s "Response to Response."

It is ironic that AT&T et al., by means of a procedurally improper filing, accuse GTEFL of a procedurally improper filing. Their argument lacks any legitimacy; indeed, it borders on the frivolous.

As AT&T and the others admit, the Commission Rules "permit a party to file a response to a Petition for Reconsideration." (AT&T Response to Response at 2.) That is precisely what GTEFL did. GTEFL's Response supported Sprint's Motion for Reconsideration.

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AT&T et al., however, try to characterize GTEFL's Response as a "second Petition for Reconsideration." Their rationale for doing so is not clear, but seems to rest on either or both of the follow premises: (1) GTEFL's filing was too long; (2) GTEFL's filing supported, rather than opposed, another party's Motion for Reconsideration. Neither of these reasons is valid.

First, AT&T et al. argue that GTEFL's pleading goes beyond a proper response to Sprint's Motion because GTEFL's six pages of argument are "far more than necessary to concur with Sprint's petition." (AT&T Response to Response at 2.) There are no page limits on responses to motions for reconsideration. While AT&T and the others may harbor some notion as to the number of pages they consider "necessary to concur" with a petition, the Commission does not. GTEFL is not limited to merely saying it agrees with Sprint; it is entitled to explain why.

Second, AT&T and the others point to their response to GTEFL's and Sprint's Petitions for Reconsideration as a proper example of a response to a position. The only conclusion GTEFL can draw from this line of argument is that a "response" must be an opposition to be procedurally appropriate. This, of course, is not correct. The Commission's Rules permit a "response," which encompasses both supporting and opposing viewpoints on earlier-filed petitions.

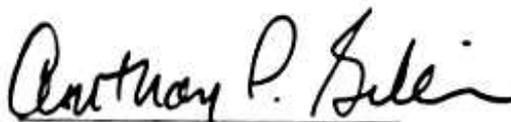
GTEFL's Response to Sprint's Motion for Reconsideration is not, contrary to AT&T et al.'s view, "argument for additional matters GTEFL wants reconsidered." (AT&T Response to Response at 2.) GTEFL's Response, like Sprint's Motion for Reconsideration, addressed only one matter—the Commission's decision to apply a \$4350

loop investment cap to all carriers in Florida. GTEFL supported Sprint's logic for seeking reconsideration on this one matter; it did not, either explicitly or implicitly, seek reconsideration on any new matters. Apparently, AT&T and the others believe that supportive arguments are "additional matters," but opposing arguments, such as the ones they made, are not.

AT&T et al. are simply wrong. Their Response to GTEFL's Response to Sprint's Motion for Reconsideration must be stricken because it is not permitted under Commission Rules and is, in any event, groundless. Moreover, their attaching their previous Response to GTEFL's and Sprint's Motions for Reconsideration is entirely unnecessary. The Commission already has that filing, and can give it the weight the Commission believes it deserves. It would be improper, however, to consider it to be a response to GTEFL's Response to Sprint's Motion for Reconsideration; as explained above, there is no provision for responses to responses to motions for reconsideration.

Respectfully submitted on February 22, 1999.

By:

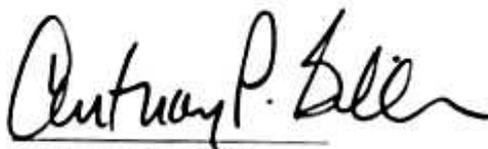


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of GTE Florida Incorporated's Motion to Strike Joint Response of AT&T, a.s.pire, FCCA, FCTA, MCI, and WorldCom to GTE Florida, Inc.'s Response in Support of Sprint Florida's Motion For Reconsideration in Docket No. 980696-TP were sent via U.S. mail on February 22, 1999 to the parties on the attached list.


for Kimberly Caswell

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