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GTE ORIGINAL
GTE SERVICE CORPORATION

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RECORDS AND
REPORTING

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

March 18, 1999

Re: Docket No. 990132-TP
Complaint of AGI Publishing, Inc. against GTE Florida Inc./GTE Telephone
Operating Companies for violation of Sections 364.08 and 364.10, Florida
Statutes, and request for relief

Dear Ms. Bayo:

Please find enclosed for filing in the above matter an original and fifteen copies of GTE Florida Incorporated's Opposition to Request of AGI Publishing, Inc. d/b/a Valley Yellow Pages for Prehearing Conference. 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.

ACK _____
AFA _____ Sincerely,

APP _____
CAF _____
CMU _____ Kimberly Caswell/dm

Kimberly Caswell

CTR _____ KC:tas
EAG _____ Enclosures

LEG _____ 1

LIN _____

OPC _____

RCH _____

SEC _____ 1

WAS _____ A part of GTE Corporation

OTH _____

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[Signature]
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of AGI Publishing, Inc.)
Against GTE Florida Incorporated,) Docket No. 990132-TP
GTE Telephone Operating Companies for) Filed: March 18, 1999
Violation of Section 364.08 and 364.10,)
Florida Statutes, and Request for Relief)
_____)

**OPPOSITION TO REQUEST OF AGI PUBLISHING, INC., D/B/A
VALLEY YELLOW PAGES FOR PREHEARING CONFERENCE**

GTE Florida Incorporated (GTE) asks the Commission to deny the Request of AGI Publishing, Inc. d/b/a Valley Yellow Pages (Valley) for Prehearing Conference, filed on March 11, 1999, in this Docket.

A prehearing conference is proper only if there is going to be a hearing in this case. That issue will be decided when the Commission rules on GTE's Motion to Dismiss Valley's Complaint in this matter. If the Commission declines to dismiss the Complaint, it will set it for hearing, and a prehearing conference will be scheduled as required by Commission rules. There is no need for a special request to set a prehearing conference. Moreover, the Commission has never, in GTE's experience, considered a motion to dismiss in the context of a prehearing conference, as Valley requests, and there is no need to do so now.

Valley states that it needs expedited treatment of this matter because GTE intends to discontinue billing for Valley as of March 31, 1999, in accordance with the terms of the parties' contract. Valley's actions do not comport with the sense of urgency it tries to convey. GTE notified Valley that it intended to terminate the contract over six months ago (on September 8, 1998), yet Valley waited almost five months to file its Complaint (on February 5, 1999). If it were so critical that Valley retain GTE's billing services, and if Valley believed it had a legitimate complaint to bring to the Commission, one would expect

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that Valley would have brought that complaint much sooner than it did. It would be inequitable and unreasonable to afford Valley's dispute expedited treatment when Valley itself did not act with any particular urgency—indeed, it did not even seek expedited treatment of the Complaint in the Complaint itself.

Valley is, once again, treading the line of procedural frivolity. In addition to its Complaint and the Request for Prehearing Conference, Valley has filed a Petition for Declaratory Statement on the same issue that is raised in its Complaint, as well as a Request for Expedited Treatment of its Complaint. Like its Request for Prehearing Conference, the Petition for Declaratory Statement and the Request for Expedited Treatment are procedurally improper, for reasons detailed in GTE's responses to those filings.

GTE asks the Commission to put an end, once and for all, to Valley's continued, irregular procedural filings, and to issue an Order directing Valley not to file any more motions for extraordinary treatment of this dispute.

Respectfully submitted on March 18, 1999.

By: Kimberly Caswell/dm
Kimberly Caswell
Post Office Box 110, FLTC0007
Tampa, Florida 33601
Telephone: 813-483-2617
Attorney for GTE Florida Incorporated

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of GTE Florida Incorporated's Opposition to Request of AGI Publishing, Inc. d/b/a Valley Yellow Pages for Prehearing Conference in Docket No. 990132-TF' were hand-delivered(*) or sent via U.S. mail(**) on March 18, 1999 to:

Staff Counsel(*)
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Susan Davis Morley(**)
Patrick Knight Wiggins
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Kimberly Caswell