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GTE SERVICE CORPORATION

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January 24, 2000

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

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00 JAN 24 PM 3:43  
RECORDS AND  
REPORTING

Re: Docket No. 991376-TL  
Initiation of Show Cause Proceedings against GTE Florida, Inc., for  
Violation of Service Standards

Dear Ms. Bayo:

Please find enclosed an original and fifteen copies of GTE Florida Incorporated's  
Opposition to Motion of the Office of Public Counsel for filing in the above matter.  
Service has been made as indicated on the Certificate of Service. If there  
are any questions regarding this matter, please contact me at 813-483-2617.

Sincerely,

*Kimberly Caswell* / dm  
Kimberly Caswell

KC:tas  
Enclosures

- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 2
- MAS 3
- OPC \_\_\_\_\_
- RRR \_\_\_\_\_
- SEC 1
- VAW \_\_\_\_\_
- OTH \_\_\_\_\_

A part of GTE Corporation

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

01006 JAN 24 8

FPSC-RECORDS/REPORTING

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Initiation of Show Cause	)	Docket No. 991376-TL
Proceedings against GTE Florida	)	Filed: January 24, 2000
Incorporated for Violation of	)	
Service Standards	)	
_____	)	

**GTE FLORIDA INCORPORATED'S OPPOSITION TO MOTION OF THE OFFICE OF PUBLIC COUNSEL**

On January 10, 2000, the Office of Public Counsel (OPC) filed a motion asking the Commission to designate as an issue in this proceeding "GTE's willful violation of the Commission's quality of service rules since January 1, 1996" (Motion). GTE Florida Incorporated (GTE) asks the Commission to deny OPC's Motion.

On December 21, 1999, the Commission issued an Order setting this docket for hearing. (Order No. PSC-99-2501-PCO-TL (Order).) That Order defines the basic parameters of this proceeding, setting forth matters to be investigated and the time period at issue. Specifically, the Commission will examine GTE's apparent failure to meet two service standards (Rule 25-4.070(3)(a), restoration of interrupted service; and Rule 25-4.066, installation of primary service) at various times since January 1, 1998. The Order also indicates that OPC "has initiated its own investigation" of GTE's service quality. (Order at 2.) During a meeting with Commission Staff, OPC, and GTE on October 13, 1999, it became clear that OPC's investigation is not congruent with the Commission's own inquiry in this docket. OPC's investigation reaches back to 1996 and concerns standards that are not a part of this docket.

The Commission, rather than OPC, has defined the relevant subject matter and period to be addressed in this show cause docket. The Commission's focus on particular service standards and its decision to examine GTE's compliance record for the past two

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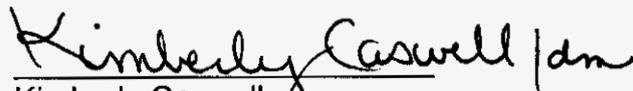
FPCO-RECORDS/REPORTING

years were based upon Staff's review of GTE's periodic service quality reports. (GTE believes these same temporal limits will apply to the ongoing service quality show cause dockets involving Sprint and BellSouth, respectively.)

Like the December 21 Order, GTE's settlement offer and the Staff's November 18, 1999 Recommendation to approve that offer explicitly reflect the 1998 date as the start of the period at issue in this docket. The Commission voted to go to hearing to explore GTE's compliance with specific standards during the specific period beginning with 1998. Before that vote was taken, OPC had the opportunity to argue its view as to the appropriate scope of the proceeding. It is too late now to change the basic parameters of the inquiry the Commission has launched. OPC's Motion should thus be denied.

Respectfully submitted on January 24, 2000.

By:



Kimberly Caswell  
P. O. Box 110, FL 33607  
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 Motion of the Office of Public Counsel in Docket No. 991376-TL were sent via U.S. mail on January 24, 2000 to:

Donna Clemons, Staff Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Charles J. Beck, Deputy Public Counsel  
Office of Public Counsel  
111 W. Madison Street, Room 812  
Tallahassee, FL 32399-1400

  
\_\_\_\_\_  
Kimberly Caswell