



**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Initiation of Show Cause )  
Proceedings against GTE Florida )  
Incorporated for Violation of )  
Service Standards )  
\_\_\_\_\_ )

Docket No. 991376-TL  
Filed: February 22, 2000

**GTE FLORIDA INCORPORATED'S ANSWER OPPOSING THE  
OFFICE OF PUBLIC COUNSEL'S FIRST MOTION TO COMPEL**

GTE Florida Incorporated (GTE) files its Answer to the Office of Public Counsel's First Motion to Compel Against GTE, submitted on February 10, 2000. The Office of Public Counsel (OPC) asks the Commission to order GTE to produce documents that are outside the time period addressed in this docket. As such, the Commission should deny the Motion.

As OPC notes, GTE filed its responses and objections to OPC's third set of document requests on February 8, 2000. GTE produced relevant documents concerning 1998 and 1999, but objected to producing documents relating to 1996, 1997, and 2000, as OPC had requested. GTE's objection is valid.

The Order setting this docket for hearing establishes the temporal parameters of this show cause investigation as January 1998 through September 1999. (Order No. PSC-99-2501-PCO-TL, Dec. 21, 1999 (Order).) This is the same time period the Staff discussed in their recommendation to accept GTE's settlement offer, and the same time period addressed in the Commission's November 30 vote to take this matter to hearing. It is also the same time period Commission Staff used in proposing the issues for resolution in this case.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

GTE is not "blocking this investigation," as OPC contends. The Commission, not GTE, established 1998-1999 as the relevant period of inquiry in this case. While OPC may disagree with the Commission's view of the appropriate scope of this proceeding, it is that view--not OPC's—that determines the extent of GTE's discovery obligations. As the Order makes plain, this case concerns only GTE's potential service violations in 1998 and 1999—not years before or after that period. As such, GTE is well within its rights not to produce material from 1996, 1997, and 2000.

For these reasons, GTE asks the Commission to deny OPC's Motion to Compel.

Respectfully submitted on February 22, 2000.

By:



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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 Answer to the Office of Public Counsel's First Motion to Compel in Docket No. 991376-TL were sent via overnight delivery on February 21, 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



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Kimberly Caswell