

State of Florida



Public Service Commission

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RECORDS AND REPORTING

DATE: MARCH 16, 2000

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYÓ)

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *BK*
DIVISION OF AUDITING AND FINANCIAL ANALYSIS (D. MAILHOT, *DM*)
D. VANDIVER, K. WELCH, R. WRIGHT *RW*
DIVISION OF COMMUNICATIONS (S. SIMMONS) *SAS* *SS*

RE: DOCKET NO. 991751-TP - COMPLAINT OF SPRINT-FLORIDA, INCORPORATED REGARDING THE PRACTICES OF THRIFTY CALL, INC. IN THE REPORTING OF PERCENT INTERSTATE USAGE FOR COMPENSATION FOR JURISDICTIONAL ACCESS SERVICES.

AGENDA: MARCH 28, 2000 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\LEG\WP\991751.RCM

CASE BACKGROUND

On November 22, 1999, Sprint-Florida, Inc. (Sprint) filed a Complaint against Thrifty Call, Inc. (Thrifty Call) for Thrifty Call's practices in reporting Percent Interstate Usage (PIU) factors to Sprint. With its complaint, Sprint submitted an Emergency Motion for Protective Order, as well as a Request for Confidential Treatment, in accordance with Rule 25-22.006, Florida Administrative Code. A Temporary Protective Order was issued on November 30, 1999.

On January 11, 2000, Thrifty Call filed a Motion to Dismiss Sprint's complaint. On January 24, 2000, Sprint filed its Response. Soon thereafter, however, the parties indicated to staff that they were working towards a resolution of their dispute.

DOCUMENT NUMBER-DATE

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On March 2, 2000, Sprint filed its Notice of Voluntary Dismissal, with prejudice, of its Complaint against Thrifty Call. This is staff's recommendation on the Notice of Dismissal.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission acknowledge Sprint's Notice of Voluntary Dismissal?

RECOMMENDATION: Yes. Staff recommends that the Commission acknowledge Sprint's Notice of Voluntary Dismissal of its Complaint.

STAFF ANALYSIS: In its Notice of Voluntary Dismissal, Sprint simply states that it voluntarily withdraws and dismisses, with prejudice, its Complaint against Thrifty Call. There is no indication as to the basis for the withdrawal; however, staff believes that the parties have negotiated a resolution of their dispute.

Staff recommends that the Commission acknowledge Sprint's voluntary dismissal, with prejudice, of its Complaint.

ISSUE 2: Should this Docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, Thrifty Call's Motion to Dismiss will be rendered moot. As such, no further action will remain for the Commission to take. Therefore, this Docket may be closed.

STAFF ANALYSIS: Yes. If the Commission approves staff's recommendation in Issue 1, Thrifty Call's Motion to Dismiss will be rendered moot. As such, no further action will remain for the Commission to take. Therefore, this Docket may be closed.