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OF COUNSEL

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(1926 - 1992)

† Also admitted in Iowa
†† Also admitted in New York, Illinois and Washington, D.C.

May 4, 2000

Director
Florida Public Service Commission
Division of Record & Reporting
2540 Shumard Oak Blvd.
Gunter Building
Tallahassee, FL 32399-0850

Re: Accutel Communications
Docket No.: 981488-TI

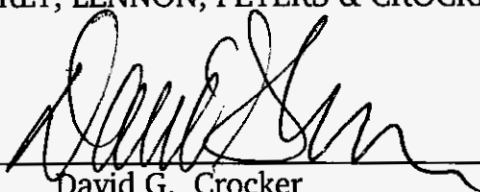
Division of
Administration
2540 SHUMARD OAK BLVD
TALLAHASSEE, FL 32399-0850
MAY 5 11 09 AM '00

Dear Sirs:

Enclosed please find the original and 7 copies of our Motion for Reconsideration with Certificate of Service in this matter.

Yours very truly,

EARLY, LENNON, PETERS & CROCKER, P.L.C.

By 
David G. Crocker

AFA _____ DGC/dle
APP _____
CAF _____
CMM _____ Enclosures
OTR _____
EAG _____
LEG _____ cc: C. Lee Fordham
MAS _____ 3
OPR _____
RRR _____
SEC _____
WAW _____
OTH _____
Sandy Done 5/16/00

DOCUMENT NUMBER-DATE
05663 MAY-58
FPSC-RECORDS/REPORTING

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In Re: Initiation of
Show Cause Proceedings
Against Accutel
Communications, Inc.
for Unlawful Billing
Practices In Violation
of Section 364.10(1)
and 364.604(2), F.S.
And Insufficient
Management Capability
Pursuant to Section
364.337(3), F.S.

Docket No.: 981488 TI

MOTION FOR RECONSIDERATION

NOW COMES Accutel Communications, Inc., ("Accutel"), and moves the Commission to Reconsider its Order Dismissing Response To Order To Show Cause And Imposing Fine For Violation Of Statutes, (the "Order"), entered on April 20, 2000, based upon the following:

1. Accutel has been addressing the subject proceedings through its attorneys, Early, Lennon, Peters & Crocker, P.L.C.
2. The Staff was fully aware of the participation of the aforesaid law firm on behalf of Accutel and in fact contacted the law firm in January, 2000, to request that Accutel stipulate to an extension of time for the Staff to file its Direct Testimony.
3. No notices were provided to the attorneys for Accutel of the time and place for the Prehearing Conference or for any other hearing which has been held in this matter.
4. The Staff did not provide the attorneys for Accutel a copy of the Staff Recommendations which requested that the Commission strike Accutel's Response to the Order to Show Cause and impose a find of over \$1,700,000.

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5. The entry of the Order by the Commission with no prior notice of the actions which were recommended by the Staff and contemplated by the Commission was in violation of the due process rights of Accutel under the State and Federal Constitutions.

6. The actions of the Commission and the Staff in holding Prehearing conferences and hearings without affording notice to the attorneys who had filed the Response and the direct testimony in this matter were in violation of Section 120.569(1)(b) F.S. and the due process clauses of the State and Federal Constitutions.

7. The Response and direct testimony filed clearly set forth the issues in this matter and informed the Staff and the Commission of the same and that Accutel did not violate the laws of the State of Florida.

WHEREFORE, Accutel requests that the Commission:

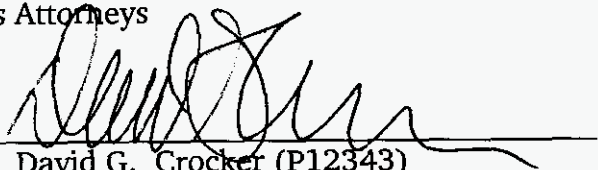
1. Reconsider and set aside the Order of April 20, 2000;
2. Reinstate Accutel's Response to the Order to Show Cause.
3. Reschedule this matter to allow a Prehearing Conference and evidentiary hearing before the Commission makes a final determination on the merits of this case.

Respectfully submitted,

ACCUTEL COMMUNICATIONS, INC.

By: EARLY, LENNON, PETERS & CROCKER, P.L.C.
Its Attorneys

By



David G. Crocker (P12343)
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Kalamazoo, MI 49007
Phone: (616) 381-8844
Fax: (616) 349-8525

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CERTIFICATE OF SERVICE

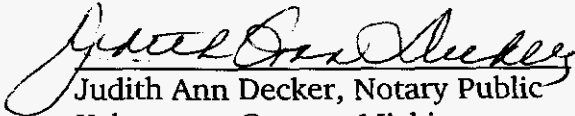
Debbie L. Ellis, being first duly sworn, deposes and says that on the 4th day of May, 2000, she served a copy of the attached Motion for Reconsideration upon the following parties in the following manner:

C. Lee Forham via Federal Express
Staff Counsel
FLORIDA PUBLIC SERVICE COMMISSION
2540 Stumard Oak Blvd.
Tallahassee, FL 32399-0850



Debbie L. Ellis

Sworn to and subscribed before me
this 4th day of May, 2000.


Judith Ann Decker, Notary Public
Kalamazoo County, Michigan
My Commission Expires: 8/18/03