



JACK SHREVE
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RECORDS AND
REPORTING

October 16, 2000

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

Re: Docket No. 990362-TI

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of Citizens' Motion for Reconsideration of Order Establishing Procedure. Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

Charles J. Beck
Deputy Public Counsel

- APP _____
- CAF _____
- CMP _____
- COM 3 _____
- CTR _____
- ECR _____
- LEG 1 _____
- OPC _____
- PAI _____
- RGD _____
- SEC 1 _____
- SEN _____
- OTH _____

CJB:bsr
Enclosures

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Initiation of Show Cause Proceeding)
Against GTE Communications) Docket 990362-TI
Corporation for Apparent Violation of)
Rule 25-4.118, F.A.C., Local, Local) Filed: October 16, 2000
Toll, or Toll Provider Selection.)
_____)

MOTION FOR RECONSIDERATION OF ORDER ESTABLISHING PROCEDURE

The Citizens of Florida (Citizens), by and through Jack Shreve, Public Counsel, move the Prehearing Officer to reconsider order no. PSC-00-1835-PCO-TI issued October 6, 2000.

1. On July 26, 2000, the Commission issued a notice of proposed agency action order approving a settlement offered by GTE Communications Company. That order contained a sentence stating that "GTE understands that acceptance of this settlement offer does not in any way preempt, preclude or resolve any matters under review by any other state agencies or departments." When this matter was considered at the Commission's agenda conference, a representative from the Office of Attorney General Bob Butterworth stated that the Attorney General did not oppose the settlement as long as the order approving the settlement agreement contained this language.

2. On August 16, 2000, the Public Counsel protested the Commission's proposed agency order. While the Public Counsel protested the amount of the fine contained in the proposed order, nothing in the protest took issue with the portion of the order stating that acceptance of the settlement offer did not in any way preempt, preclude or resolve any matters under review by any other state agencies or departments.

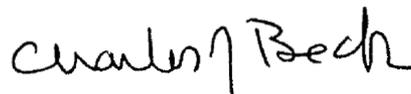
3. The Citizens request the Prehearing Officer to include the quoted language about preemption in the Order on Prehearing Procedure. Inclusion of this language will make it clear that this portion of the Proposed Agency Action Order, which was not protested, will continue in this proceeding.

4. If the Prehearing Officer declines to include this language in the Order on Prehearing Procedure, the Citizens request that it be made an issue in the case.

WHEREFORE, the Citizens respectfully request the Prehearing Officer to include language in the Order on Prehearing Procedure stating that this proceeding will not in any way preempt, preclude or resolve any matters under review by any other state agencies or departments.

Respectfully submitted,

JACK SHREVE
Public Counsel
Fla. Bar No. 73622



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Deputy Public Counsel
Fla. Bar No. 217281

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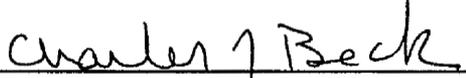
(850) 488-9330

Attorneys for Florida's Citizens

**DOCKET NO. 990362-TI
CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S.

Mail or hand-delivery to the following parties on this 16th day of October, 2000.


Charles J. Beck

Lee Fordham
Division of Legal Services
Fla. Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Kimberly Caswell
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