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ORIGINAL  
RECORDS AND REPORTING  
February 8, 2001

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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 to Compel Compliance with Agreement and to Provide other Relief.

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

CJB:bsr  
Enclosures  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM 3  
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EOR \_\_\_\_\_  
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DOCUMENT NUMBER-DATE

01877 FEB-80

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Initiation of Show Cause Proceeding ) Docket 990362-T1  
Against GTE Communications )  
Corporation for Apparent Violation of )  
Rule 25-4.118, F.A.C., Local, Local )  
Toll, or Toll Provider Selection. ) Filed: February 8, 2001  
\_\_\_\_\_ )

**MOTION TO COMPEL COMPLIANCE WITH AGREEMENT  
AND TO PROVIDE OTHER RELIEF**

The Citizens of Florida (Citizens), by and through Jack Shreve, Public Counsel, respectfully move the Prehearing Officer to issue an order requiring Verizon Select Services, Inc. (Verizon) to immediately file a specific request for confidentiality of all documents currently subject to temporary requests for confidentiality.

1. On December 18, 2000, Verizon filed a request for a temporary protective order covering the direct testimony and exhibit of R. Earl Poucher, as well as a deposition of Verizon employee Larry Commons. These documents were subject to temporary confidentiality solely because they discussed and evaluated documents previously provided to Citizens by Verizon under a temporary claim of confidentiality.

2. Citizens filed a response on January 3, 2001, opposing Verizon's request. The opposition showed that Verizon's procedures violated Commission

rule 25-22.006, and that the openness of this proceeding should not be thwarted by Verizon's procedural efforts to make all significant evidence confidential in this case.

3. Verizon amended its request for a temporary protective order on January 23, 2001. In its amended request, Verizon denied that it was violating Commission rule 25-22.006, but it stated that it had reached an agreement with the Office of Public Counsel to submit a specific request for confidential protection of these materials by February 2, 2001.

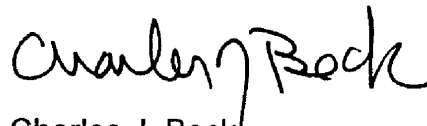
4. Verizon violated this agreement by failing to file the specific request for confidentiality by February 2, 2001.

5. The Commission should not condone Verizon's actions any longer. This docket concerns the public's business, but Verizon continues its efforts to make all significant information in the proceeding confidential without ever making a specific showing backing up its claim. If the Commission continues to allow Verizon to make these unsupported claims, the inevitable result will be a hearing involving literally hundreds of slamming complaints that will be closed to the public.

6. The Commission should require Verizon to immediately file specific confidentiality requests backing up all filings at the Commission. This should

include, at a minimum, (1) The deposition and exhibit of Larry Commons filed December 8, 2000, (2) the direct testimony and exhibit of R. Earl Poucher filed December 15, 2000, (3) the supplemental direct testimony and exhibit of R. Earl Poucher filed January 9, 2001, (4) the deposition and exhibit of Wayne Weaver filed January 11, 2001, and (5) the rebuttal testimony of Christopher D. Owens and Joseph P. Caliro filed January 31, 2001.

**WHEREFORE**, Citizens respectfully the Prehearing Officer to issue an order requiring Verizon to file specific requests for confidentiality of the documents cited above.



Charles J. Beck  
Deputy Public Counsel  
Fla. Bar. No. 217281

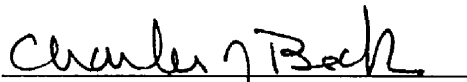
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(850) 488-9330

Attorneys for the Citizens  
of Florida

**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 8th day of February,  
2001.

  
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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P.O. Box 110, FLTC0007  
Tampa, FL 33601-0110