

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against GTE Communications Corporation (n/k/a Verizon Select Services Inc.) for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection.

DOCKET NO. 990362-TI
ORDER NO. PSC-01-0547-PCO-TI
ISSUED: March 9, 2001

ORDER GRANTING CITIZENS' MOTION FOR LEAVE
TO FILE SUPPLEMENTAL DIRECT TESTIMONY

This docket was opened to address numerous complaints against Verizon Select Services, Inc. - f/k/a GTE Communications Corporation (Verizon) that have been determined to be apparent unauthorized carrier changes.

On July 26, 2000, Order No. PSC-00-1348-PAA-TI was issued approving the revised settlement offered by Verizon. On August 16, 2000, however, the Office of Public Counsel (OPC) protested the Commission's Proposed Agency Action Order, and requested that this docket be set for evidentiary hearing. Accordingly, on October 6, 2000, Order No. PSC-00-1835-PCO-TI was issued setting the docket for hearing and establishing the procedure for its conduct.

On January 9, 2001, OPC filed a Citizens' Motion for Leave to File Supplemental Direct Testimony. In that Motion, OPC alleges that Verizon delayed for nine months providing documents which were properly and timely requested in discovery requests. Verizon filed no response to this Motion. The documents in question were provided on the due date for OPC to file its direct testimony. Accordingly, OPC states that it had no time to review the requested documents prior to filing its direct testimony. OPC requests leave to file supplemental direct testimony by R. Earl Poucher to introduce and discuss these documents. The testimony was filed on January 9, 2001.

Under the circumstances recited in OPC's Motion, and in the absence of a response from Verizon, I find it reasonable to allow

DOCUMENT NUMBER-DATE

03067 MAR-90

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the January 9, 2001 filing of supplemental testimony of R. Earl Poucher.

It is, therefore

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that the Citizens' Motion for Leave to File Supplemental Direct Testimony is hereby granted.

By ORDER of Commissioner Lila A. Jaber, as Prehearing Officer, this 9th Day of March, 2001.



LILA A. JABER
Commissioner and Prehearing Officer

(S E A L)

CLF

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.