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April 17, 2001

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### **BY HAND DELIVERY**

Ms. Blanca Bayó, Director Division of Records and Reporting Room 110, Easley Building Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

Re: Docket Nos. 990455-TL, 990456-TL, 990457-TL and 990517-TL

Dear Ms. Bayó:

Enclosed for filing are an original and fifteen copies of ALLTEL Communications, Inc., AT&T Communications of the Southern States, Inc., AT&T Wireless Services, Inc., BellSouth Telecommunications, Inc., Florida Cable Telecommunications, Inc., Sprint Communications Company Limited Partnership, and WorldCom, Inc.'s Response to Reconsideration of Order Approving Offer of Settlement in the above referenced dockets.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,

(10)

Floyd/R. Self

FRS/amb Enclosure

cc:

Parties of Record

PECCATO & SILEO

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for Review of Proposed Numbering Plan Relief for the 305/786 Area Code - Dade County and Monroe County/Keys Region	) ) ) Docket No. 990455-TL )
In re: Review of Proposed Numbering Plan Relief for the 561Area Code	) Docket No. 990456-TP )
In re: BellSouth Telecommunications, Inc.'s Request for Review of Proposed Numbering Plan Relief for the 954 Area Code	) ) Docket No. 990457-TL ) _)
In re: Review of Proposed Numbering Plan Relief for the 904 Area Code	) Docket No. 990517-TP ) Filed: April 17, 2001 )

RESPONSE OF
ALLTEL COMMUNICATIONS, INC.,
AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.,
AT&T WIRELESS, SERVICES, INC.,
BELLSOUTH TELECOMMUNICATIONS, INC.,
FLORIDA CABLE TELECOMMUNICATIONS ASSOCIATION, INC.,
SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP,
AND WORLDCOM, INC. TO RECONSIDERATION OF ORDER
APPROVING OFFER OF SETTLEMENT

ALLTEL Communications, Inc., AT&T Communications of the Southern States, Inc., AT&T Wireless Services, Inc., BellSouth Telecommunications, Inc., Florida Cable Telecommunications Association, Inc., Sprint Communications Company Limited Partnership, and WorldCom, Inc. ("Parties"), pursuant to Florida Administrative Code Rules 25-22.060 and 28-106.103, hereby respond to the "Reconsideration of Order Approving Offer of Settlement" filed by Mr. Emmanuel Arvanitas ("Reconsideration") and request that the Florida Public Service

Commission deny the Reconsideration. In support of this response, Parties state:

- 1. On March 27, 2001, this Commission issued Order No. PSC-01-0808-AS-TL, accepting and approving an offer of settlement to resolve various requests for reconsideration, appeals to the Florida Supreme Court, and protests to various proposed agency actions. These dockets have involved lengthy proceedings and a considerable amount of time by the Commission, the public that has participated in numerous public meetings, and the parties to the dockets.
- 2. On April 5, 2001, Mr. Emmanuel Arvanitas served by U.S. Mail a document titled "Reconsideration of Order Approving Offer of Settlement." Mr. Arvanitas is not a party of record in any of the above captioned dockets as he has not previously sought nor been granted intervention by any order of this Commission.
- 3. Rule 25-22.060(1)(a), Florida Administrative Code, is very clear that only a "party" may file a motion for reconsideration. Since Mr. Arvanitas is not a party of record, his document should be dismissed without any further action. Moreover, none of his statements constitute, nor should be considered, a valid basis for reconsideration as the Commission has not overlooked or failed to consider any point of law or fact. Diamond Cab Co. v. King, 146 So. 2d 889 (Fla. 1962); Stewart Bonded Warehouse, Inc. v. Bevis, 294 So. 2d 315 (Fla. 1974). Moreover, Mr. Arvanitas' comments generally constitute reargument of matters that have already been considered and disposed of by the Commission.
- 4. Undersigned counsel has been authorized by Parties to represent that they join in this request to deny Mr. Arvanitas' Reconsideration.

# WHEREFORE, Parties respectfully request that the Commission deny Reconsideration of Mr. Arvanitas.

Respectfully submitted this 17th day of April, 2001.

Floyd R. Self

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#### CERTIFICATE OF SERVICE

IHEREBY CERTIFY that a true and correct copy of ALLTEL Communications, Inc., AT&T Communications of the Southern States, Inc., AT&T Wireless Services, Inc., BellSouth Telecommunications, Inc., Florida Cable Telecommunications, Inc., Sprint Communications Company Limited Partnership, and WorldCom, Inc.'s Response to Reconsideration of Order Approving Offer of Settlement in Docket Nos. 990455-TL, 990456-TL, 990457-TL, and 990517-TL has been served upon the following parties by Hand Delivery (\*) and/or U.S. Mail this 17th day of April, 2001.

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