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March 26, 2002

Blanca S. Bayo, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 010409-TP

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket is the original and 15 copies of Citizen's response to Talk America's motion for summary final order and motion to dismiss.

Please indicate the time and date of receipt on the enclosed duplicate of this letter.

Sincerely,

Charles J. Beck
Deputy Public Counsel

CJB:bsr

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by the Citizens of)
Florida to Investigate TALK.com Holding) Docket No. 010409-TP
Company and The Other Phone)
Company For Willful Violation of) Filed March 26, 2002
Rule 25-4.118, Florida Administrative)
Code)

**CITIZENS' RESPONSE TO TALK AMERICA'S MOTION FOR SUMMARY
FINAL ORDER AND MOTION TO DISMISS**

The Citizens of Florida (Citizens), by and through Jack Shreve, Public Counsel, file this response to the motion for summary final order and motion to dismiss filed by Talk America on March 19, 2002.

Citizens support and adopt the response to these motions filed by staff. In addition, Citizens once again urge the Commission to hold public hearings in this case.¹ Hundreds upon hundreds of customers have contacted the Florida Public Service Commission with complaints about Talk America. If the Commission were to hold public hearings in the major metropolitan areas of the state, each of the customers could be notified about the hearing and invited to attend. This would be an economical and efficient way for the Commission to hear from the public concerning Talk America and take direct evidence in the case. Since Talk America has now filed specific responses to the complaints, these responses should be forwarded to the individual customers with an invitation for

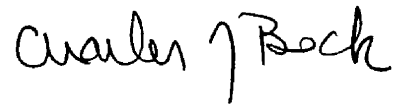
¹ Citizens first made this request at the Commission's agenda conference held on October 2, 2001.

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the customers to testify before the Commission concerning the company's response.

Respectfully submitted,

JACK SHREVE
PUBLIC COUNSEL



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

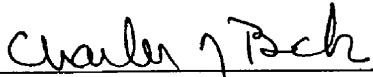
Office of Public Counsel
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(850) 488-9330

Attorney for Florida's
Citizens

**DOCKET NO. 010409-TP
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 26th day of March, 2002.



Charles J. Beck

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