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AUG 17 AM 10:19
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COMMISSION
CLERK

August 16, 2004

Via Federal Express

Ms. Blanca S. Bayo
Division of Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: In Re: Petition of Florida Public Telecommunications Association for Expedited Review of BellSouth Telecommunications, Inc.'s Tariffs with respect Rates for Payphone Line Access, Usage, and Features, Docket No. DN 030300-TD

Dear Ms. Bayo:

FPTA respectfully requests that the Commission take notice of the attached decisions of the Alabama Public Service Commission in which the Alabama Public Service Commission granted the Southern Public Communication Association's petition for Reconsideration and Rehearing, overturning its previous Order dismissing the Southern Public Communication Association's petition, and set the matter for hearing on November 17, 2004.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached certificate of service.

- CMP _____
- COM _____
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- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH _____

Enclosure

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

Very truly yours,

TOBIN & REYES, P.A.



David S. Tobin

cc: All Counsel of Record
Lee Fordham

DOCUMENT NUMBER-DATE

08928 AUG 17 04

FPSC-COMMISSION CLERK

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Florida Public)
Telecommunications Association)
for Expedited Review of BellSouth)
Telecommunications, Inc.'s Tariffs)
with respect Rates for Payphone)
Line Access, Usage, and Features.)

Docket No.: DN 030300-TD

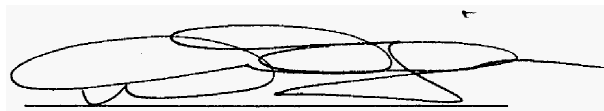
August 16, 2004

I HEREBY CERTIFY that one copy of the foregoing has been furnished by electronic mail
this 16th day of August, 2004, to the following:

Meredith E. Mays
Regulatory Counsel
BellSouth Corporation
Legal Department
675 West Peachtree Street
Suite 4300
Atlanta, Georgia 30375-0001

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Staff Counsel
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Nancy White
General Counsel – Florida
BellSouth Telecommunications, Inc.
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DOCUMENT NUMBER-DATE

08928 AUG 17 3

FPSC-COMMISSION CLERK



STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260

JIM SULLIVAN, PRESIDENT
JAN COOK, ASSOCIATE COMMISSIONER
GEORGE C. WALLACE, JR., ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.
SECRETARY

**SOUTHERN PUBLIC COMMUNICATION
ASSOCIATION,**

DOCKET 29172

Complainant

v.

BELLSOUTH TELECOMMUNICATIONS, INC.,

Defendant

ORDER

BY THE COMMISSION:

By Order entered in this proceeding on April 13, 2004, we granted the Motion to Dismiss of BellSouth Telecommunications, Inc. Southern Public Communication Association had filed its complaint contending that BellSouth owes refunds for the period before it made a tariff filing reducing rates.

On May 13, 2004, Southern Public Communication Association filed its Petition for Reconsideration and Rehearing. It contends the Dismissal Order in effect absolves BellSouth from its refusal to comply with federal law and allows it to avoid refunds of the unlawful rates charged. Decisions of the FCC and of other states indicate that refunds should be made. Also, the Dismissal Order deprives Complainant of its right to a hearing.

DOCKET 29172 - #2

On May 21, 2004, BellSouth Telecommunications, Inc. filed its Response. It contends that there are no facts in dispute. Neither state nor federal law permits the relief that Complainants seek. Thus, the Petition for Reconsideration should be denied.

It appears, and we find, that the Southern Public Communication Association has shown compelling reasons it should be heard on its complaint. Its Petition for Reconsideration will be granted and a subsequent notice will set the time and date for the hearing.

IT IS, THEREFORE, ORDERED BY THE COMMISSION, That the Petition for Reconsideration and Rehearing of the Southern Public Communication Association is hereby granted.

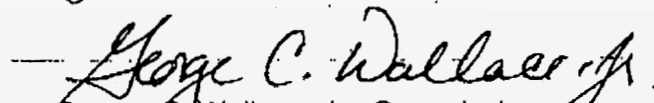
IT IS FURTHER ORDERED, That this Order shall be effective as of the date hereof.

DONE at Montgomery, Alabama this 15th day of July, 2004.

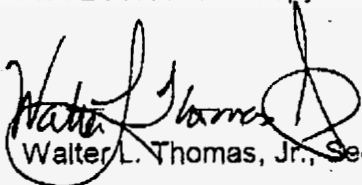
ALABAMA PUBLIC SERVICE COMMISSION


Jim Sullivan, President


Jan Cook, Commissioner


George C. Wallace, Jr., Commissioner

ATTEST: A True Copy


Walter L. Thomas, Jr., Secretary



STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
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SOUTHERN PUBLIC COMMUNICATION ASSOCIATION,
Complainant

DOCKET 29172

v.

BELLSOUTH TELECOMMUNICATIONS, INC.,
Defendant

RULING

Pursuant to BellSouth Telecommunications, Inc.'s request, a conference call was held on July 10, 2004, at 10 a.m. As a result, the hearing set for August 23, 2004, is canceled.

The following dates are hereby established:

August 4, 2004	Exchange list of witnesses
October 11, 2004	Complainant's Prefiled Testimony due
October 25, 2004	Defendant's Prefiled Testimony due
November 17, 2004	Hearing (10 a.m. in the Main Hearing Room)

DONE this 28th day of July, 2004.


Stanley W. Foy
Administrative Law Judge

c: All Parties of Record.