

Matilda Sanders

ORIGINAL

From: Fatool, Vicki [Vicki.Fatool@BellSouth.COM]
Sent: Monday, April 18, 2005 3:21 PM
To: Filings@psc.state.fl.us
Subject: 050194-TL BellSouth Telecommunications, Inc. Request for Oral Argument
Importance: High
Attachments: Request_.pdf

A. Vicki Fatool
 Legal Secretary to Nancy B. White
 BellSouth Telecommunications, Inc.
 150 South Monroe Street
 Suite 400
 Tallahassee, Florida 32301
 (305) 347-5560
vicki.fatool@bellsouth.com

B. Docket No. 050194-TL: Complaint by Florida BellSouth customers who paid fees to BellSouth Telecommunications, Inc. related to Miami-Dade County Ordinance Section 21-44 ("Manhole Ordinance") and request that Florida Public Service Commission order BellSouth to comply with Section A.2.4.6 of General Subscriber Service Tariff and refund all fees collected in violation thereof.

C. BellSouth Telecommunications, Inc.
 on behalf of Nancy B. White

D. 4 pages total (including letter, pleading and certificate of service)

E. BellSouth Telecommunications, Inc.'s Request for Oral Argument

.pdf version attached

<<Request_.pdf>>

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NANCY B. WHITE
General Counsel - FL

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5558

April 18, 2005

Mrs. Blanca S. Bayó
Director, Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 050194-TL: Complaint by Florida BellSouth customers who paid fees to BellSouth Telecommunications, Inc. related to Miami-Dade County Ordinance Section 21-44 ("Manhole Ordinance") and request that Florida Public Service Commission order BellSouth to comply with Section A.2.4.6 of General Subscriber Service Tariff and refund all fees collected in violation thereof.

Dear Ms. Bayó:

Enclosed is BellSouth Telecommunications, Inc.'s Request for Oral Argument, which we ask that you file in the captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,


Nancy B. White

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey

CERTIFICATE OF SERVICE
Docket No. 050194-TL

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

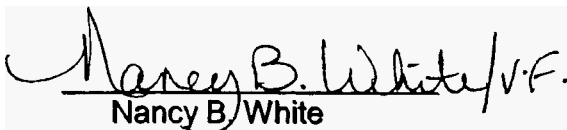
(*) Federal Express and First Class U. S. Mail this 18th day of April, 2005 to the following:

Lee Fordham
Kira Scott
Staff Counsels
Florida Public Service
Commission
Division of Legal Services
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cfordham@psc.state.fl.us
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Museum Tower, Suite 2700
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Miami, Florida 33130


Nancy B. White

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by Florida BellSouth)
customers who paid fees to BellSouth)
Telecommunications, Inc. related to)
Miami-Dade County Ordinance Section)
21-44 ("Manhole Ordinance") and)
request that Florida Public Service)
Commission order BellSouth to comply)
with Section A.2.4.6 of General)
Subscriber Service Tariff and refund all)
fees collected in violation thereof.)

Docket No. 050194-TL

Filed: April 18, 2005

REQUEST FOR ORAL ARGUMENT

Pursuant to Rule 25-22.058, Florida Administrative Code, BellSouth Telecommunications, Inc. ("BellSouth") respectfully requests oral argument on its Motion to Dismiss the "Complaint of Florida BellSouth Customers Against BellSouth Telecommunications, Inc. and Request for Relief" ("Complaint").

The Complaint presents the Commission with several threshold jurisdictional issues. In addition to the standing of individual petitioners, the Complaint raises issues related to the Commission's ability to entertain a class action, provide injunctive relief, and award attorney fees. BellSouth believes oral argument on these legal issues would assist the Commission in evaluating these matters.

For the reasons expressed, BellSouth respectfully requests oral argument on its Motion to Dismiss.

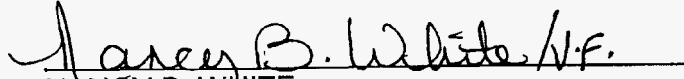
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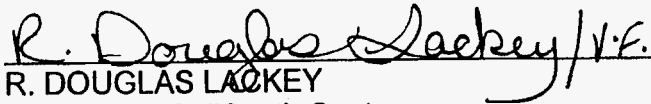
FPCO-COMMISSION CLERK

Respectfully submitted this 18th day of April, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

Handwritten signature of Nancy B. White in cursive, followed by a horizontal line.

NANCY B. WHITE
SHARON R. LIEBMAN
c/o Nancy H. Sims
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Suite 400
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(305) 347-5558

Handwritten signature of R. Douglas Lackey in cursive, followed by a horizontal line.

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