

IN THE
SUPREME COURT OF FLORIDA

FILED
THOMAS D. HALL
DEC 06 2004
CLERK, SUPREME COURT
BY

Charles J. Crist, Jr., Attorney General,
State of Florida,

Appellant,

vs.

Florida Public Service Commission, et al.,

Appellees,

Case No. SC04-9

Harold McLean, Public Counsel,
State of Florida,

Appellant,

vs.

Florida Public Service Commission, et al.,

Appellees,

Case No. SC04-10

AARP,

Appellant,

vs.

Florida Public Service Commission, et al.,

Appellees.

Case No. SC04-946

DOCUMENT NO.
13072-05

**TRANSCRIPT OF RECORD
IN THE MATTER OF:**

**Petition by Verizon Florida Inc. to reform intrastate network access and basic
local telecommunications rates in accordance with Section 364.164, F.S.**

**Petition by Sprint-Florida, Incorporated to reduce intrastate switched network access
rates to interstate parity in revenue-neutral manner pursuant to Section 364.1641(1), F.S.**

**Petition for implementation of Section 364.164, F.S., by rebalancing rates in a
revenue-neutral manner through decreases in intrastate switched access charges with
offsetting rate adjustments for basic services, by BellSouth Telecommunications, Inc.**

**Flow-through of LEC switched access reductions by IXC's,
pursuant to Section 364.163(2), F.S.**

Docket Nos. 030867-TL, 030868-TL, 030869-TL, and 030961-TI

**Cecilia Bradley, Esquire
Lynn C. Hearn, Esquire
Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399-1050**

**Richard Melson, Esquire
David E. Smith, Esquire
The Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0862**

**H F. Rick Mann, Esquire
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400**

**Michael B. Twomey, Esquire
Post Office Box 5256
Tallahassee, Florida 32314-5256**

ATTORNEYS FOR APPELLANTS

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Charles J. Crist, Jr., Attorney General, State of Florida
vs.
Florida Public Service Commission, et al.
Supreme Court Case No. SC04-9

Harold McLean, Public Counsel, State of Florida
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FPSC Docket Nos. 030867-TL, 030868-TL, 030869-TL, and 030961-TI

INDEX TO RECORD

VOLUME 1

Progress Docket	1
(08002-03) Petition of Verizon Florida Inc. (“Verizon”) to reform its intrastate network access and basic local telecommunications rates in accordance with Florida Statutes, Section 364.164, filed August 27, 2003	54
(08010-03) Sprint-Florida, Incorporated’s (“Sprint”) petition to reduce intrastate switched network access rates to interstate parity in a revenue-neutral manner, filed August 27, 2003	77
(08014-03) Petition by BellSouth Telecommunications, Inc. (“BellSouth”) for implementation of Section 364.164, Florida Statutes, filed August 27, 2003	95
(08054-03) The Citizens of Florida’s (“Citizens”) motion seeking the Commission to order a case management conference to be held for the parties in this docket (Sprint, 030868), filed August 28, 2003	101
(08055-03) Citizens’ motion seeking the Commission to order a case management conference to be held for the parties in this docket (BellSouth, 030869), filed August 28, 2003	107

(08056-03) Citizens’ motion to hold, and to expedite the scheduling of, public hearings (BellSouth, 030869), filed August 28, 2003	113
(08057-03) Citizens’ motion to expedite discovery process (BellSouth, 030869), filed August 28, 2003	118
(08058-03) Notice of intervention, on behalf of Citizens (BellSouth, 030869), filed August 28, 2003	123
(08059-03) Citizens’ motion to expedite discovery process (Sprint, 030868), filed August 28, 2003	126
(08060-03) Citizens’ motion to hold, and to expedite the scheduling of, public hearings (Sprint, 030868), filed August 28, 2003	131
(08061-03) Notice of intervention, on behalf of Citizens (Sprint, 030868), filed August 28, 2003	136
(08062-03) Citizens’ motion seeking the Commission to order a case management conference to be held for the parties in this docket (Verizon, 030867), filed August 28, 2003	139
(08063-03) Citizens’ motion to expedite discovery process (Verizon, 030867), filed August 28, 2003	145
(08064-03) Citizens’ motion to hold, and to expedite the scheduling of, public hearings (Verizon, 030867), filed August 28, 2003	150
(08065-03) Notice of intervention, on behalf of Citizens (Verizon, 030867), filed August 28, 2003	155
(08182-03) Order PSC-03-0991-PCO-TL acknowledging Intervention to Citizens (030867, Verizon), by and through the Public Counsel (“OPC”),	158
issued September 3, 2003	
(08183-03) Order PSC-03-0992-PCO-TL acknowledging Intervention to Citizens (030868, Sprint), by and through OPC, issued September 3, 2003	160
(08184-03) Order PSC-03-0993-PCO-TL acknowledging Intervention to Citizens (030869, BellSouth), by and through OPC, issued September 3, 2003	162
(08196-03) Citizens’ motion to dismiss Verizon’s petition, filed September 3, 2003	164
(08200-03) Citizens’ motion to dismiss Sprint’s petition, filed September 3, 2003	171
(08203-03) Citizens’ motion to dismiss BellSouth’s petition, filed September 3, 2003	178

(08204-03) Memorandum dated September 3, 2003 from Commission Chairman to Commission Clerk forwarding correspondence from Charles J. Crist, Jr., Attorney General, State of Florida **185**

(08256-03) Letter from Commission’s Division of Auditing and Financial Analysis (AUS) to BellSouth, filed September 4, 2003 **187**

(08257-03) Letter from AUS to Verizon, filed September 4, 2003 **189**

(08258-03) Letter from AUS to Sprint, filed September 4, 2003 **191**

(08222-03) Order PSC-03-0994-PCO-TL establishing procedure and consolidating dockets for hearing, issued September 4, 2003 **193**

VOLUME 2

(08326-03) Sprint’s response to Citizens’ motion to hold, and to expedite the scheduling of, public hearings, filed September 5, 2003 **204**

(08494-03)Memorandum from Commission’s Office of the General Counsel (GCL), Divisions of Competitive Markets and Enforcement (CMP) and Commission Clerk and Administrative Services (CCA) to CCA, filed September 9, 2003 **210**

(08523-03) BellSouth’s proposed issues, filed September 9, 2003 **219**

(08554-03) Verizon’s response to Citizens’ motion to dismiss, filed September 10, 2003 **223**

(08556-03) AARP’s petition to intervene, filed September 10, 2003 **230**

(08565-03) BellSouth and Sprint’s joint response to Citizens’ motion to dismiss petitions, filed September 10, 2003 **239**

(08758-03) Commission vote sheet from September 16, 2003 agenda conference, filed September 16, 2003 **248**

(08919-03) Memorandum from GCL, CMP, Office of Market Monitoring and Strategic Analysis (MMS), and Division of External Affairs (EXT) to CCA, filed September 18, 2003 **250**

(08920-03) Order PSC-03-1037-PCO-TL granting intervention to AARP, issued September 18, 2003 **268**

(08982-03) Transcript of agenda conference, Item No. 5, held September 16, 2003 in Tallahassee, filed September 19, 2003 **271**

(08993-03) Memorandum from AUS to CCA in re Verizon audit, filed September 19, 2003	320
(08995-03) Memorandum from AUS to CCA in re Sprint audit, filed September 19, 2003	322
(09001-03) Memorandum from AUS to CMP with attached memorandum addressing review of billing audits for Verizon, filed September 19, 2003	324
(09002-03) Memorandum from AUS to CMP with attached memorandum addressing review of billing audits for Sprint, filed September 19, 2003	328
(09109-03) Order PSC-03-1061-PCO-TL on issues for hearing, issued September 23, 2003	330
(09129-03) AARP's motion to dismiss, filed September 23, 2003	336
(09315-03) Sprint's response in opposition to AARP's motion to dismiss, filed September 29, 2003	341
(09403-03) BellSouth's response to AARP's motion to dismiss, filed September 30, 2003	345
(09404-03) Revised petition by BellSouth for implementation of Section 364.164, Florida Statutes, filed September 30, 2003	349
(09427-03) Commission vote sheet from September 30, 2003 agenda conference, filed October 1, 2003	357
(09486-03) Sprint's amended petition to reduce intrastate switched network access rates to interstate parity in a revenue neutral manner, filed October 1, 2003	359
(09522-03) Amended petition of Verizon to reform its intrastate network access and basic local telecommunications rates in accordance with Florida Statutes, Section 364.164, filed October 2, 2003	378

VOLUME 3

(09542-03) Request to establish docket, by Commission staff, filed October 2, 2003	402
(09714-03) Order PSC-03-1118-PCO-TL modifying order establishing procedure, issued October 7, 2003	403
(09767-03) Order PSC-03-1125-PCO-TL granting, in part, and denying, in part, Citizens's (OPC) motion to hold expedited public hearings, issued October 8, 2003	407

(09780-03) Transcript of agenda conference, Item No. 5, held September 30, 2003 in Tallahassee, filed October 8, 2003 417

(10062-03) Transcript of service hearing held October 1, 2003 in Jacksonville, filed October 15, 2003 492

VOLUME 4

(10113-03) Transcript of service hearing held October 2, 2003 in Orlando, filed October 16, 2003 579

(10114-03) Transcript of service hearing held October 3, 2003 in Tampa, filed October 16, 2003 664

VOLUME 5

[Continuation of] (10114-03) Transcript of service hearing held October 3, 2003 in Tampa, filed October 16, 2003 779

(10221-03) Order PSC-03-1155-PCO-TL on OPC’s first motions to compel and Verizon’s motion for protective order, issued October 20, 2003 830

(10243-03) Order PSC-03-1172-FOF-TL on OPC’s motion to dismiss the petitions, issued October 20, 2003 871

(10244-03) Order PSC-03-1173-PCO-TL on Citizens’ first motions to compel discovery from Sprint, issued October 20, 2003 890

(10253-03) AARP’s motion to dismiss petitions of BellSouth, Verizon, and Sprint for failure to join indispensable parties, filed October 20, 2003 900

(10418-03) Transcript of service hearing held October 8, 2003 in Fort Lauderdale, filed October 22, 2003 910

VOLUME 6

(10426-03) Memorandum from GCL and CMP to CCA, filed October 22, 2003 994

(10474-03) Transcript of service hearing held October 10, 2003 in Ocala, filed October 23, 2003 1,005

(10546-03) Transcript of service hearing held October 13, 2003 in Pensacola, filed October 27, 2003 1,111

VOLUME 7

(10590-03) Sprint's response in opposition to AARP's motion to dismiss, filed October 27, 2003	1,219
(10592-03) Verizon's response to AARP's motion to dismiss, filed October 27, 2003	1,227
(10595-03) Petition to intervene, on behalf of MCI WorldCom Communications, Inc. ("MCP"), filed October 27, 2003	1,237
(10596-03) Petition to intervene, on behalf of AT&T Communications of the Southern States, LLC ("AT&T"), filed October 27, 2003	1,242
(10604-03) BellSouth's response in opposition to AARP's motion to dismiss petition of BellSouth, Verizon, and Sprint for failure to join indispensable parties, filed October 27, 2003	1,247
(10649-03) Transcript of service hearing held October 16, 2003 in Fort Myers, filed October 28, 2003	1,258
(10650-03) Transcript of service hearing held October 17, 2003 in Sarasota, filed October 28, 2003	1,320

VOLUME 8

(10675-03) Commission request for change to agenda conference, filed October 29, 2003	1,430
(10747-03) Memorandum from GCL, CMP, MMS, and EXT to CCA, filed October 30, 2003	1,431
(10862-03) Knology of Florida, Inc.'s ("Knology") petition to intervene, filed October 31, 2003	1,445
(10921-03) Commission vote sheet from November 3, 2003 agenda conference, filed November 3, 2003	1,449
(10922-03) Commission vote sheet from November 3, 2003 agenda conference, filed November 3, 2003	1,451
(10982-03) Order PSC-03-1240-PCO-TL consolidating dockets for hearing, issued November 4, 2003	1,453
(11026-03) Letter dated November 5, 2003 from Charles J. Beck, OPC, to Commission with attached exhibit offered by Sandra Padron from the October 30, 2003 hearings held in Miami, filed November 5, 2003	1,457

(11037-03) BellSouth Long Distance, Inc.'s ("BellSouth Long Distance") petition for leave to intervene, filed November 5, 2003 1,607

Pages inadvertently left blank 1,611 - 1,640

VOLUME 9

(11128-03) Transcript of service hearing held October 23, 2003 in St. Petersburg, filed November 7, 2003 1,641

(11188-03) Protective Order PSC-03-1268-PCO-TL governing handling of confidential information, issued November 10, 2003 1,773

(11189-03) Second Order PSC-03-1269-PCO-TL modifying procedure for consolidated dockets to reflect additional docket, associated issues, and filing dates, issued November 10, 2003 1,778

(11200-03) Transcript of agenda conference, Item No. 4A, held November 3, 2003 in Tallahassee, filed November 10, 2003 1,785

VOLUME 10

(11201-03) Transcript of agenda conference, Item No. 5, held November 3, 2003 in Tallahassee, filed November 10, 2003 1,851

(11213-03) Transcript of service hearing held October 27, 2003 in Daytona Beach, filed November 10, 2003 1,926

(11243-03) AARP's response and opposition to intervention of Knology, AT&T, and MCI, filed November 10, 2003 2,022

VOLUME 11

(11276-03) Transcript of service hearing held October 29, 2003 in West Palm Beach, filed November 12, 2003 2,026

(11376-03) Petition to intervene, on behalf of Sprint Communications Company, Limited Partnership d/b/a Sprint ("Sprint LP"), filed November 14, 2003 2,131

(11377-03) Order PSC-03-1303-PCO-TL on OPC's second motions to compel Verizon, issued November 14, 2003 2,137

(11378-03) Order PSC-03-1304-PCO-TL on Citizens' second motion to compel responses to interrogatories from Sprint, issued November 14, 2003 2,161

(11397-03) Transcript of service hearing held October 30, 2003 in Miami, filed November 14, 2003 2,176

VOLUME 12

[Continuation of] Transcript of service hearing held October 30, 2003 in Miami, filed November 14, 2003 2,227

(11449-03) Transcript of service hearing held November 4, 2003 in Fort Walton Beach, filed November 17, 2003 2,294

(11480-03) Petition of Charles J. Crist, Jr., Attorney General, State of Florida (“Attorney General”), to intervene, filed November 17, 2003 2,365

(11481-03) Attorney General’s motion for summary final order, filed November 17, 2003 2,371

(11636-03) Petition to intervene of Verizon Select Services Inc. (“Verizon Select”) and Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance (“Verizon Long Distance”), filed November 19, 2003 2,377

(11645-03) Order PSC-03-1325-PCO-TL granting intervention to AT&T, MCI, and Knology, issued November 19, 2003 2,383

(11759-03) Order PSC-03-1326-CFO-TL granting Sprint’s requests for confidential classification (Document Nos. 08011-03, 08944-03, 08996-03, 09489-03, 09578-03, 09621-03, 09829-03, 10142-03, 10288-03, 10587-03, 10776-03, 10838-03, 10846-03, 11002-03, and 11532-03, issued November 20, 2003 2,392

(11786-03) Joint motion of Verizon, Sprint, and BellSouth for reconsideration or clarification of the prehearing officer’s second order modifying procedure for consolidated dockets to reflect additional docket, associated issues, and filing dates, filed November 20, 2003 2,405

VOLUME 13

(11787-03) Request for oral argument, on behalf of Verizon, Sprint, and BellSouth, filed November 20, 2003 2,439

(11816-03) Commission staff’s prehearing statement, filed November 21, 2003 2,445

(11818-03) Order PSC-03-1331-FOF-TL denying AARP’s motion to dismiss, issued November 21, 2003 2,454

(11847-03) Sprint’s prehearing statement, filed November 21, 2003 2,468

(11848-03) Citizens’ prehearing statement, filed November 21, 2003	2,477
(11869-03) Prehearing statement of the Attorney General, filed November 21, 2003	2,489
(11872-03) Verizon’s prehearing statement, filed November 21, 2003	2,496
(11873-03) Joint prehearing statement of AT&T and MCI, filed November 21, 2003	2,509
(11878-03) Prehearing statement of BellSouth, filed November 21, 2003	2,522
(11879-03) Sprint LP’s initial prehearing statement, filed November 21, 2003	2,532
(11880-03) Common Cause Florida (“Common Cause”) petition to intervene, filed November 21, 2003	2,541
(11881-03) AARP’s prehearing statement, filed November 21, 2003	2,550
(11882-03) Knology’s prehearing statement, filed November 21, 2003	2,561
(11892-03) Prehearing statement of Verizon Long Distance, Verizon Enterprise, and Verizon Select, filed November 21, 2003	2,567
(11895-03) Sugarmill Woods Civic Association, Inc.’s (“Sugarmill”) petition to intervene, filed November 24, 2003	2,574
(11920-03) BellSouth Long Distance’s prehearing statement, filed November 24, 2003	2,580
(11951-03) Memorandum from AUS to CMP with final audit of BellSouth on verification of pricing units (Audit Control No. 03-247-1-1), filed November 24, 2003	2,589
(11952-03) Memorandum from AUS to CCA forwarding index for confidential BellSouth audit (Audit Control No. 03-247-1-1), filed November 24, 2003	2,608
(12061-03) Order PSC-03-1349-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 08008-03, issued November 26, 2003	2,610
(12062-03) Order PSC-03-1350-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 08885-03, issued November 26, 2003	2,616
(12063-03) Order PSC-03-1351-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 09301-03 (x-ref. 08994-03), issued November 26, 2003	2,622

(12064-03) Order PSC-03-1352-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 09366-03, issued November 26, 2003 2,628

(12065-03) Order PSC-03-1353-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 09449-03, issued November 26, 2003 2,634

VOLUME 14

(12066-03) Order PSC-03-1354-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 09527-03 (x-ref. 08008-03), issued November 26, 2003 2,640

(12067-03) Order PSC-03-1355-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 10128-03, issued November 26, 2003 2,646

(12068-03) Order PSC-03-1356-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 10632-03, issued November 26, 2003 2,652

(12069-03) Order PSC-03-1357-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 10823-03, issued November 26, 2003 2,658

(12082-03) Cover letter dated November 26, 2003 from Charles J. Beck, OPC, to Commission advising of the filing of rebuttal testimony of Bion C. Ostrander, containing information claimed confidential by four different companies, filed November 26, 2003 2,664

(12146-03) Verizon’s response to the Attorney General’s motion for summary final order, filed December 1, 2003 2,667

(12147-03) Citizens’ joinder with Attorney General’s motion for summary final order, filed December 1, 2003 2,679

(12149-03) Citizens’ response to joint motion of Verizon, Sprint, and BellSouth for reconsideration or clarification of the prehearing officer’s second order modifying procedure for consolidated dockets to reflect additional docket, associated issues, and filing dates, filed December 1, 2003 2,685

(12150-03) Sprint’s response in opposition to Attorney General’s motion for summary final order, filed December 1, 2003 2,700

(12159-03) Response in opposition to motion for summary final order, on behalf of AT&T and MCI, filed December 1, 2003 2,708

(12166-03) AARP’s joinder with Attorney General’s motion for summary final order, filed December 1, 2003 2,718

(12172-03) BellSouth’s response in opposition to Attorney General’s motion for summary final order, filed December 1, 2003 2,721

(12253-03) Order PSC-03-1366-PCO-TL on OPC’s second and third motions to compel interrogatories and production of documents from BellSouth, issued December 2, 2003 2,747

(12269-03) Transcript of prehearing conference held November 24, 2003 in Tallahassee, filed December 3, 2003 2,772

(12303-03) Prehearing Order PSC-03-1367-PHO-TL, issued December 3, 2003 2,800

VOLUME 15

(12304-03) Order PSC-03-1368-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 10697-03, issued December 3, 2003 2,853

(12306-03) Amendatory Order PSC-03-1326A-CFO-TL, issued December 3, 2003 2,860

(12341-03) Request for official notice, on behalf of AARP, filed December 3, 2003 2,862

(12342-03) Transcript of floor debate on House Bill 1903 before the Florida House of Representatives held April 30, 2003 in Tallahassee, on behalf of AARP, filed December 3, 2003 2,866

(12343-03) Transcript of floor debate on Committee Substitute for Senate Bill 654 before the Florida Senate held April 30, 2003 in Tallahassee, on behalf of AARP, filed December 3, 2003 2,885

(12344-03) Transcript of floor debate on House Bill 1903 and Senate Bill 654 before the Florida House of Representatives held May 1, 2003 in Tallahassee, on behalf of AARP, filed December 3, 2003 2,930

(12347-03) Letter submitting comments on final audit report (Audit Control No. 03-247-1-1), on behalf of BellSouth, filed December 3, 2003 2,977

(12501-03) Citizens’ motion for reconsideration of Commission Order No. PSC-03-1331-FOF-TL, filed December 5, 2003 2,981

(12572-03) Order PSC-03-1384-CFO-TL granting BellSouth’s requests for specified confidential classification (Document Nos. 08022-03, 08043-03, 08044-03, 08045-03, 08671-03, 09412-03, 09952-03, 10204-03, and 10338-03), issued December 8, 2003 3,002

(12610-03) AARP’s motion for reconsideration of Commission Order No. PSC-03-1331-FOF-TL, or in the alternative to have Order reflect actual Commission vote, filed December 8, 2003 3,024

(12635-03) Joint response of Verizon, Sprint, and BellSouth in opposition to AARP’s request for official notice, filed December 8, 2003 3,038

(12636-03) Joint motion of Verizon, Sprint, and BellSouth to strike portions of witness Cooper’s direct testimony, filed December 8, 2003 3,049

VOLUME 16

(12672-03) Memorandum dated December 9, 2003 from Commission’s Division of Competitive Markets and Enforcement to Commissioners with attached brief summary of testimony from the public hearings, filed December 9, 2003 3,057

(12682-03) Memorandum dated December 9, 2003 from CMP to Commissioners with attached brief summaries of testimony compiled for each BellSouth, Verizon, and Sprint from the public hearings, filed December 9, 2003 3,062

(12691-03) Notice of Attorney General of joining Citizens’ motion for reconsideration of Commission Order No. PSC-03-1331-FOF-TL, filed December 9, 2003 3,108

(12693-03) Joint response of Verizon, Sprint, and BellSouth in opposition to Citizens’ and AARP’s motions for reconsideration of Commission Order No. PSC-03-1331-FOF-TL and to AARP’s alternative motion to have Order reflect actual Commission vote, filed December 10, 2003 3,112

(12720-03) Order PSC-03-1386-PCO-TL on OPC’s motion to compel against AT&T; motion to require AT&T to respond by Monday, December 8, 2003; and request for ruling of prehearing officer by Tuesday, December 9, 2003, issued December 10, 2003 ... 3,123

(12840-03) Transcript of service hearing held December 10, 2003 in Tallahassee, filed December 11, 2003 3,132

(12927-03) Order PSC-03-1401-CFO-TL granting BellSouth’s request for specified confidential classification of Document No. 11890-03 (x-reference Document Nos. 10838-03 and 10846-03), issued December 12, 2003 3,200

(12928-03) Order PSC-03-1402-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 11928-03, issued December 12, 2003 3,207

(12937-03) Order PSC-03-1403-CFO-TL granting Verizon Long Distance’s request for specified confidential classification for Document No. 11662-03, issued December 12, 2003 3,213

(12938-03) Order PSC-03-1404-CFO-TL granting Sprint’s requests for confidential classification (Document Nos. 11688-03 and 11796-03), issued December 12, 2003 3,219

(12939-03) Order PSC-03-1405-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 11931-03, issued December 12, 2003 3,228

(12940-03) Order PSC-03-1406-CFO-TL granting Knology’s request for specified confidential classification for Document No. 12491-03, issued December 12, 2003 3,234

(12956-03) Order PSC-03-1408-CFO-TL granting Verizon’s request for specified confidential classification for Document No. 11728-03, issued December 12, 2003 3,241

(12958-03) Memorandum from AUS to CMP in re Fulp’s revised billing unit testimony, filed December 12, 2003 3,247

(13041-03) Amendatory Order PSC-03-1405A-CFO-TL, issued December 16, 2003 3,249

(13123-03) Order PSC-03-1432-CFO-TL granting Verizon’s request for specified confidential classification for Document Nos. 11643-03 and 12272-03, issued December 17, 2003 3,251

VOLUME 17

(13164-03) Memorandum dated December 17, 2003 from GCL to CCA with attached PowerPoint presentations, filed December 18, 2003 3,257

(13460-03) Order PSC-03-1469-FOF-TL on access charge reduction petitions, issued December 24, 2003 3,291

(00211-04) Notice of appeal of Attorney General, filed January 7, 2004 3,350

(00212-04) Notice of appeal of Harold McLean, OPC, filed January 7, 2004 3,411

VOLUME 18

(00229-04, 00230-04) Letter from Cecilia Bradley, Office of the Attorney General, with attached certificates of service to be included with notices of appeal by Attorney General and OPC, filed January 7, 2004 3,472

(00363-04) Motion of Attorney General for reconsideration, filed January 8, 2004 3,475

(00375-04) AARP’s request for oral argument on reconsideration of Commission Order No. PSC-03-1469-FOF-TL, filed January 8, 2004	3,510
(00376-04) AARP’s motion for reconsideration of Commission Order No. PSC-03-1469-FOF-TL, filed January 8, 2004	3,514
(00464-04) Motion of Attorney General for oral argument on his motion for reconsideration, filed January 12, 2004	3,528
(00517-04) Order PSC-04-0037-PCO-TL extending time for filing responses to motions for reconsideration, issued January 13, 2004	3,531
(02203-04) Order PSC-03-1326B-CFO-TP amended to reflect confidential treatment granted to Document No. 11533-03, issued February 17, 2004	3,535
(03115-04) Order PSC-04-0239-CFO-TL granting Sprint’s requests for confidential classification of Document Nos. 12155-03, 11499-03, 12608-03, 11885-03, 12514-03, 11531-03, 11794-03, and cross-referenced Hearing Exhibits 41 and 43, issued March 3, 2004	3,537
(03169-04) Order PSC-04-0242-CFO-TL granting AT&T’s request for specified confidential classification for Document No. 12680-03, issued March 4, 2004	3,546
(03170-04) Order PSC-04-0243-CFO-TL granting MCI’s request for specified confidential classification for Document No. 12023-03, issued March 4, 2004	3,551
(03171-04) Order PSC-04-0244-CFO-TL granting AT&T’s request for specified confidential classification for Document No. 11694-03 and Confidential Hearing Exhibit 75, issued March 4, 2004	3,556
(03254-04) Order PSC-04-0256-CFO-TL granting BellSouth’s request for specified confidential classification of Document No. 12716-03, issued March 8, 2004	3,561
(03255-04) Order PSC-04-0257-CFO-TL granting BellSouth’s request for specified confidential classification of Document No. 12697-03 (cross-reference Document No. 12258-03), issued March 8, 2004	3,569
(03256-04) Order PSC-04-0258-CFO-TL granting BellSouth’s request for specified confidential classification of Document No. 12709-03 (cross-reference Document Nos. 08022-03 and 09412-03), and Document No. 12700-03 (cross-reference Document Nos. 11683-03, 11684-03, and 11685-03), issued March 8, 2004	3,574
(03257-04) Order No. PSC-04-0259-CFO-TL granting BellSouth’s requests for specified confidential classification of Document No. 12703-03 (cross-reference Document Nos. 08022-03 and 09412-03), Document No. 12706-03 (cross-reference Document No. 12053-03), Document No. 12712-03 (cross-reference Document No. 11783-03), and Document No. 12634-03, issued March 8, 2004	3,582

(03490-04) Verizon’s response in opposition to ARP’s motion for reconsideration, filed March 15, 2004 **3,592**

(03492-04) Joint response of AT&T and MCI to AARP and Attorney General motions for reconsideration, filed March 15, 2004 **3,623**

(03493-04) Sprint’s response in opposition to motion for reconsideration and request for oral argument of Attorney General, filed March 15, 2004 **3,645**

(03494-04) Sprint’s response in opposition to motion for reconsideration and request for oral argument of AARP, filed March 15, 2004 **3,661**

VOLUME 19

(03504-04) Response of BellSouth and BellSouth Long Distance to AARP’s motion for reconsideration and request for oral argument, filed March 15, 2004 **3,679**

(03505-04) Response of BellSouth and BellSouth Long Distance to Attorney General’s motion for reconsideration and motion for oral argument, filed March 15, 2004 **3,696**

(03586-04) Document entitled “Attorney General seeks public access to documents in phone rate hike case”, attached amended request for oral argument, and copies of letters dated March 17, 2004 to MCI, Verizon, Sprint, BellSouth, and AT&T, on behalf of Attorney General, filed March 17, 2004 **3,712**

(03665-04) Letter dated March 17, 2004 to Commission’s General Counsel from Attorney General, filed March 18, 2004 **3,723**

(03995-04) Verizon’s response in opposition to Attorney General’s amended request for oral argument, filed March 29, 2004 **3,724**

(03999-04) Sprint’s response in opposition to Attorney General’s amended request for oral argument, filed March 29, 2004 **3,731**

(04018-04) Joint response to AT&T and MCI to the Attorney General’s amended request for oral argument, filed March 29, 2004 **3,737**

(04031-04) Response of BellSouth and BellSouth Long Distance to Attorney General’s amended request for oral argument, filed March 29, 2004 **3,747**

(04336-04) Amendatory Order PSC-04-0239A-CFO-TL, issued April 7, 2004 **3,756**

(04361-04) Notice of Commission conference for publication in April 16, 2004 Florida Administrative Weekly, filed April 7, 2004 **3,758**

(04534-04) Notice of rescheduling of Commission conference for publication in April 23, 2004 Florida Administrative Weekly, filed April 14, 2004	3,760
(04647-04) Attorney General's notice of supplemental authority, filed April 19, 2004	3,762
(04838-04) Memorandum from GCL and CMP to CCA, filed April 26, 2004	3,791
(04898-04) Memorandum from GCL to CCA with attached documents distributed to Commissioners by staff during final consideration of issues on December 16, 2003, filed April 27, 2004	3,810
(05058-04) Amendatory Order PSC-04-0243A-CFO-TL issued May 3, 2004	3,816
(05117-04) Order PSC-04-0456-FOF-TL on motions for reconsideration, issued May 4, 2004	3,818
(05147-04) Transcript of special agenda held May 3, 2004, filed May 4, 2004	3,836

VOLUME 20

(05221-04) Vote sheet from May 3, 2004 Commission conference, filed May 5, 2004	3,890
(06243-04) Amended notice of appeal of Attorney General, filed June 1, 2004	3,892
(06244-04) Amended notice of appeal of OPC, filed June 1, 2004	3,973
(06287-04) AARP notice of appeal, filed June 3, 2004	3,978
Certificate of Director, Division of the Commission Clerk and Administrative Services ...	4,000

HEARING TRANSCRIPTS

- Transcript of hearing held December 10, 2003, Volume 1, pages 1 through 48 (reference court reporter's original page numbers in this and all succeeding volumes)
- Transcript of hearing held December 10, 2003, Volume 2, pages 49 through 219
- Transcript of hearing held December 10, 2003, Volume 3, pages 220 through 345
- Transcript of hearing held December 10, 2003, Volume 4, pages 346 through 418
- Transcript of hearing held December 11, 2003, Volume 5, pages 419 through 589
- Transcript of hearing held December 11, 2003, Volume 6, pages 590 through 670
- Transcript of hearing held December 11, 2003, Volume 7, pages 671 through 739
- Transcript of hearing held December 11, 2003, Volume 8, pages 740 through 932
- Transcript of hearing held December 11, 2003, Volume 9, pages 933 through 1,150
- Transcript of hearing held December 12, 2003, Volume 10, pages 1,151 through 1,286
- Transcript of hearing held December 12, 2003, Volume 11, pages 1,287 through 1,408
- Transcript of hearing held December 12, 2003, Volume 12, pages 1,409 through 1,530
- Transcript of hearing held December 12, 2003, Volume 13, pages 1,531 through 1,670
- Transcript of hearing held December 12, 2003, Volume 14, pages 1,671 through 1,863
- Transcript of hearing held December 12, 2003, Volume 15, pages 1,864 through 1,945
- Transcript of hearing held December 16, 2003, Volume 16, pages 1,946 through 2,064

NON-CONFIDENTIAL HEARING EXHIBITS

(See hearing transcript for full description.)

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 45, 46, 47, (49 not admitted), 50, 51, 53, 54, 55, 57, 58, 60, 61, 62, 65, 67, 68, 69, 71, 72, 73, 74, 76, 77, 79, 81, 83, 84, and 85

**CONFIDENTIAL DOCUMENTS ADMITTED IN RECORD
AT HEARING**

Portions of direct testimony of John M. Felz and Exhibit JMF-4 and portions of
Kent W. Dickerson Exhibit KWD-2, on behalf of Sprint, filed August 27, 2003

(Pages 1 - 9)
(DN 08011-03)

Daonne D. Caldwell Exhibit's DDC-1, DDC-2, DDC-4, and SCIS model developed by
Telcordia, and certain pages from E. Steven Bigelow Exhibits SB-1 through SB-4, on behalf of
BellSouth, filed August 27, 2003

(DDC-1, 2, and 4 are part of *Hearing Exhibit 52.*)

(Pages 10 - 470)
(DN 08022-03)

BSTLM loop model (Exhibit DDC-1), on behalf of BellSouth,
filed August 28, 2003, on CDS only

(DDC-1 is part of *Hearing Exhibit 52.*)

(Pages 471 - 472)
(DN 08043-03)

Daonne D. Caldwell Exhibit DDC-1, on behalf of BellSouth,
filed August 28, 2003, on CDS only

(DDC-1 is part of *Hearing Exhibit 52.*)

(Page 473)
(DN 08044-03)

Revised Exhibit DDC-1 to Daonne D. Caldwell, on behalf of BellSouth,
filed September 12, 2003

(DDC-1 is part of *Hearing Exhibit 52.*)

(Pages 474 - 501)
(DN 08671-03)

Page 9 of amended direct testimony of John M. Felz, on behalf of Sprint,
filed October 1, 2003

(Page 502)
(DN 09489-03)

Revision to part of Daonne D. Caldwell's Exhibit DDC-1 (Basic Local Study Service),
on behalf of BellSouth,

filed October 2, 2003, on CDS only

(DDC-1 is part of *Hearing Exhibit 52.*)

(Pages 503 - 504)
(DN 09499-03)

Portions of amended direct testimony of Orville D. Fulp and portions of amended Exhibits ODF-1, ODF-2, and ODF-3, on behalf of Verizon, filed October 2, 2003
(Exhibits ODF-1 through 3 make up *Hearing Exhibit 59.*)

(Pages 504A-X, 505 - 531)
(DNs 08008-03 and 09527-03)

Portions of direct testimony of Dr. David J. Gabel with Appendices 3 and 4,
on behalf of OPC, filed October 31, 2003

(Pages 532 - 633)
(DN 10838-03)

Exhibits MNC-1 through MNC-7 to direct testimony of Dr. Mark N. Cooper,
on behalf of AARP, filed October 31, 2003

(Exhibits MNC-1, 2, and 6 make up *Hearing Exhibit 82.*)

(Pages 634 - 660)
(DN 10846-03)

Certain information in rebuttal testimony of
Carl R. Danner and Evan T. Leo, on behalf of Verizon, filed November 19, 2003

(Pages 661 - 663)
(DN 11654-03)

Certain information contained in direct testimony of John Broten, Page Nos. 5 and 6,
on behalf of Verizon Long Distance, filed November 19, 2003

(Pages 664 - 665)
(DN 11662-03)

Rebuttal testimony of John A. Ruscilli, on behalf of BellSouth, filed November 19, 2003

(Pages 666 - 688)
(DN 11683-03)

Rebuttal testimony of E. Steven Bigelow, on behalf of BellSouth, filed November 19, 2003

(Pages 689 - 691)
(DN 11684-03)

Highlighted information on Page Nos. 4 and 9 of direct testimony of Eric W. Kapka
and in Exhibit No. EWK-1, on behalf of Sprint, filed November 19, 2003

(Pages 692 - 695)
(DN 11688-03)

Certain information in direct testimony of Joseph Dunbar,
on behalf of MCI, filed November 19, 2003

(Pages 696 - 703)
(DN 11691-03)

Certain information in direct testimony of Richard T. Guepe,
on behalf of AT&T, filed November 19, 2003

(Pages 704 - 716)

(DN 11694-03)

Testimony and proprietary work paper of OPC's witness Dr. David J. Gabel
and Exhibit Nos. MNC-1 and MNC-2 for AARP's witness Dr. Mark N. Cooper,
on behalf of BellSouth, filed November 21, 2003

(Appendix 1 from Gabel's testimony is *Hearing Exhibit 78.*)

(Pages 717 - 997)

(DN 11890-03)

Revised direct testimony of Joseph Dunbar, on behalf of MCI, filed November 25, 2003

(Pages 998 - 1005)

(DN 12023-03)

Rebuttal testimony of Bion C. Ostrander with Exhibit BCO-1, on behalf of OPC,
filed November 26, 2003

(Exhibit BCO-1 is *Hearing Exhibit 80.*)

(Pages 1006 - 1037)

(DN 12083-03)

Revised pages 42 and 43 of rebuttal testimony of Carl R. Danner, on behalf of Verizon

(Pages 1038 - 1039)

(DN 12272-03)

Information contained in rebuttal testimony of E. Steven Bigelow, John A. Ruscilli,
and Exhibit No. WBS-1 of W. Bernard Shell rebuttal testimony,
on behalf of BellSouth, filed December 10, 2003

Pages 1040 - 1067)

(DN 12700-03)

Hearing Exhibit No. 39, filed December 17, 2003,
portions on CD

[Note: Exhibit contains confidential Document Nos. 08885-03, 09366-03, 09449-03,
10128-03, 10632-03, 10697-03, 11728-03, 11928-03, and 11932-03.]

(Pages 1068 - 1333)

(DN 13131-03)

Hearing Exhibit No. 41, filed December 17, 2003,
portions on CD

[Note: Exhibit contains confidential Document Nos. 09829-03 (cross-reference 08944-03),
10142-03 (cross-reference 11002-03), 10288-03 (cross-reference 09578-03),
11531-03 (cross-reference 12514-03), 11533-03, 12155-03,
11885-03 (cross-reference 12608-03), and 11794-03.]

(Pages 1334 - 1419)

(DN 13132-03)

Hearing Exhibit No. 40, filed December 17, 2003
[Note: Exhibit contains confidential Document Nos. 11783-03 (cross-reference 12712-03) and
12053-03 (cross-reference 12706-03).]

(Pages 1420 - 1430)
(DN 13133-03)

Hearing Exhibit No. 42, filed December 17, 2003
[Note: Exhibit contains confidential Document No. 12258-03 (cross-reference 12697-03).]

(Pages 1431 - 1432)
(DN 13134-03)

Hearing Exhibit No. 43, filed December 17, 2003
[Note: Exhibit contains confidential Document No. 12499-03.]

(Pages 1433 - 1438)
(DN 13135-03)

Hearing Exhibit No. 44, filed December 17, 2003
[Note: Exhibit contains confidential Document No. 12491-03.]

(Pages 1439 - 1443)
(DN 13136-03)

Hearing Exhibit No. 64, filed December 17, 2003

(Pages 1444 - 1462)
(DN 13137-03)

Hearing Exhibit No. 66, filed December 17, 2003
[Note: Exhibit contains portions of confidential Document No. 08011-03.]

(Pages 1463 - 1469)
(DN 13138-03)

Hearing Exhibit No. 70, filed December 17, 2003
[Note: Exhibit contains portions of confidential Document No. 08011-03.]

(Page 1470)
(DN 13139-03)

Hearing Exhibit No. 86, filed January 14, 2004

(Pages 1471 - 1474)
(DN 00592-04)

Hearing Exhibit No. 56, filed January 15, 2004

(Pages 1475 - 1502)
(DN 00616-04)

Hearing Exhibit No. 75, filed January 15, 2004

(Page 1503)
(DN 00617-04)

Hearing Exhibit No. 63, filed June 23, 2004
(Pages 1504 - 1509)
(DN 06895-04)

Hearing Exhibit No. 48, filed June 23, 2004
(Pages 1510 - 1520)
(DN 06927-04)

**CONFIDENTIAL DOCUMENTS NOT ADMITTED IN RECORD
AT HEARING**

Switching cost information system, on behalf of BellSouth,
filed August 28, 2003, on CD only
(Page 1521)
(DN 08045-03)

Volume 2 of 2 to audit workpapers for Verizon (Audit Control No. 03-247-2-1),
filed September 19, 2003
(Pages 1522 - 1541)
(DN 08994-03)

Volume 2 of 2 to audit workpapers for Sprint (Audit Control No. 03-247-2-2),
filed September 19, 2003
(Pages 1542 - 1556)
(DN 08996-03)

Information in staff workpapers prepared during billing units audit
(Audit Control No. 03-247-2-1), on behalf of Verizon, filed September 29, 2003
(Pages 1557 - 1559)
(DN 09301-03)

Exhibits to revised direct testimony of E. Steven Bigelow, on behalf of BellSouth,
filed September 30, 2003
(Pages 1560 - 1659)
(DN 09412-03)

Highlighted portions of schedule entitled "Business Weighted Average Increase," included with
audit workpapers, Audit Control No. 03-247-2-2,
on behalf of Sprint, filed October 3, 2003
(Page 1660)
(DN 09621-03)

Response to Citizens' 1st set of interrogatories, No. 20; response to PODs Nos. 2-5, 7, 11, 15, and
18 (2-5, 11, and 18 on CD); and supplemental response to Citizens' 1st set of interrogatories,
Item No. 6, Attachment 2, on behalf of BellSouth,
filed October 10, 2003, portions on CD
(Pages 1661 - 2039)
(DN 09952-03, cross-reference 09091-03)

Responses to OPC's 3rd request for PODs, No. 39, on behalf of BellSouth,
filed October 17, 2003
(Pages 2040 - 2048)

(DN 10204-03, cross-reference 09281-03)

Responses to OPC's request for PODs (No. 41, on behalf of BellSouth,
filed October 21, 2003 on CD only
(Pages 2049 - 2051)

(DN 10338-03, cross-reference 09414-03)

Supplemental response to Citizens' POD No. 6 (Sprint Corporation "Maximus" document), on
behalf of Sprint, filed October 27, 2003

(Pages 2052 - 2064)

(DN 10587-03)

Supplemental response to Citizens' 1st POD No. 6 ("edge-out" document),
on behalf of Sprint, filed October 30, 2003

(Pages 2065 - 2090)

(DN 10776-03)

Supplemental responses to staff's 2nd set of interrogatories (Nos. 42 and 45),
on behalf of Verizon, filed October 31, 2003

(Pages 2091 - 2093)

(DN 10823-03)

Exhibit No. WBS-1 to W. Bernard Shell testimony,
on behalf of BellSouth, filed November 19, 2003

(Page 2094)

(DN 11685-03)

Supplemental response to Citizens' 1st PODs No. 6 (Sprint's edge-out document),
on behalf of Sprint, filed November 20, 2003

(Pages 2095 - 2119)

(DN 11796-03)

Volume 2 of BellSouth audit (Audit Control No. 03-247-1-1) on verification of
pricing units, filed by Commission staff on November 24, 2003

(Pages 2120 - 2175)

(DN 11953-03)

Response to staff's 6th interrogatories, Item Nos. 103 and 104,
on behalf of BellSouth ; filed December 8, 2003

(Pages 2176 - 2180)

(DN 12634-03)

Supplemental responses to staff's 2nd set of interrogatories (Nos. 74-87),
on behalf of AT&T, filed December 9, 2003

(Pages 2181 - 2183)

(DN 12680-03)

Response to staff's late-filed deposition request (documentation and work papers provided in response to billing units verification audit), on behalf of BellSouth, filed December 10, 2003
(Pages 2184 - 2210)
(DN 12703-03)

Revised Exhibits and SB-2 to direct testimony of E. Steven Bigelow, on behalf of BellSouth, filed December 10, 2003
(Pages 2211 - 2237)
(DN 12709-03)

Supplemental responses to OPC's 2nd and 3rd set of interrogatories, Nos. 25, 27, 39, 41, 42, 43, 44, 46, and 47 (hard copy), and 2nd request for PODs, Nos. 26, 27, 28 (on CD), on behalf of BellSouth, filed December 10, 2003 (portions on CD only)
(Pages 2238 - 2275)
(DN 12716-03)

First supplemental response to staff's 6th set of interrogatories, Item Nos. 103 and 104, on behalf of BellSouth, filed December 12, 2003
(Pages 2276 - 2280)
(DN 12948-03)

Information from December 16, 2003 agenda conference, on behalf of Commission, filed December 19, 2003
(Pages 2281 - 2287)
(DN 13194-03)

**ALL CORRESPONDENCE FILED IN
DOCKETS 030867-TL, 030868-TL, 030869-TL, and 030961-TI**

Pages 1 through 617 (Pouch 1 of 3)
Pages 618 through 1,234 (Pouch 2 of 3)
Pages 1,235 through 1,851 (Pouch 3 of 3)

IN THE
SUPREME COURT OF FLORIDA

FILED
THOMAS D. HALL
DEC 06 2004
CLERK, SUPREME COURT
BY _____

Charles J. Crist, Jr., Attorney General,
State of Florida,

Appellant,

vs.

Florida Public Service Commission, et al.,

Appellees,

Case No. SC04-9

Harold McLean, Public Counsel,
State of Florida,

Appellant,

vs.

Florida Public Service Commission, et al.,

Appellees,

Case No. SC04-10

AARP,

Appellant,

vs.

Florida Public Service Commission, et al.,

Appellees.

Case No. SC04-946

(08204-03) Memorandum dated September 3, 2003 from Commission Chairman to Commission Clerk forwarding correspondence from Charles J. Crist, Jr., Attorney General, State of Florida **185**

(08256-03) Letter from Commission’s Division of Auditing and Financial Analysis (AUS) to BellSouth, filed September 4, 2003 **187**

(08257-03) Letter from AUS to Verizon, filed September 4, 2003 **189**

(08258-03) Letter from AUS to Sprint, filed September 4, 2003 **191**

(08222-03) Order PSC-03-0994-PCO-TL establishing procedure and consolidating dockets for hearing, issued September 4, 2003 **193**

VOLUME 2

(08326-03) Sprint’s response to Citizens’ motion to hold, and to expedite the scheduling of, public hearings, filed September 5, 2003 **204**

(08494-03)Memorandum from Commission’s Office of the General Counsel (GCL), Divisions of Competitive Markets and Enforcement (CMP) and Commission Clerk and Administrative Services (CCA) to CCA, filed September 9, 2003 **210**

(08523-03) BellSouth’s proposed issues, filed September 9, 2003 **219**

(08554-03) Verizon’s response to Citizens’ motion to dismiss, filed September 10, 2003 **223**

(08556-03) AARP’s petition to intervene, filed September 10, 2003 **230**

(08565-03) BellSouth and Sprint’s joint response to Citizens’ motion to dismiss petitions, filed September 10, 2003 **239**

(08758-03) Commission vote sheet from September 16, 2003 agenda conference, filed September 16, 2003 **248**

(08919-03) Memorandum from GCL, CMP, Office of Market Monitoring and Strategic Analysis (MMS), and Division of External Affairs (EXT) to CCA, filed September 18, 2003 **250**

(08920-03) Order PSC-03-1037-PCO-TL granting intervention to AARP, issued September 18, 2003 **268**

(08982-03) Transcript of agenda conference, Item No. 5, held September 16, 2003 in Tallahassee, filed September 19, 2003 **271**

(08993-03) Memorandum from AUS to CCA in re Verizon audit,
filed September 19, 2003 320

(08995-03) Memorandum from AUS to CCA in re Sprint audit,
filed September 19, 2003 322

(09001-03) Memorandum from AUS to CMP with attached memorandum addressing
review of billing audits for Verizon, filed September 19, 2003 324

(09002-03) Memorandum from AUS to CMP with attached memorandum addressing
review of billing audits for Sprint, filed September 19, 2003 328

(09109-03) Order PSC-03-1061-PCO-TL on issues for hearing, issued
September 23, 2003 330

(09129-03) AARP’s motion to dismiss, filed September 23, 2003 336

(09315-03) Sprint’s response in opposition to AARP’s motion to dismiss,
filed September 29, 2003 341

(09403-03) BellSouth’s response to AARP’s motion to dismiss,
filed September 30, 2003 345

(09404-03) Revised petition by BellSouth for implementation of Section 364.164,
Florida Statutes, filed September 30, 2003 349

(09427-03) Commission vote sheet from September 30, 2003 agenda conference,
filed October 1, 2003 357

(09486-03) Sprint’s amended petition to reduce intrastate switched network access
rates to interstate parity in a revenue neutral manner, filed October 1, 2003 359

(09522-03) Amended petition of Verizon to reform its intrastate network access and
basic local telecommunications rates in accordance with Florida Statutes, Section 364.164,
filed October 2, 2003 378

VOLUME 3

(09542-03) Request to establish docket, by Commission staff, filed October 2, 2003 402

(09714-03) Order PSC-03-1118-PCO-TL modifying order establishing procedure,
issued October 7, 2003 403

(09767-03) Order PSC-03-1125-PCO-TL granting, in part, and denying, in part,
Citizens’s (OPC) motion to hold expedited public hearings, issued October 8, 2003 407

IN THE
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FILED
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Florida Public Service Commission, et al.,

Appellees,

Case No. SC04-10

AARP,

Appellant,

vs.

Florida Public Service Commission, et al.,

Appellees.

Case No. SC04-946

(08993-03) Memorandum from AUS to CCA in re Verizon audit, filed September 19, 2003	320
(08995-03) Memorandum from AUS to CCA in re Sprint audit, filed September 19, 2003	322
(09001-03) Memorandum from AUS to CMP with attached memorandum addressing review of billing audits for Verizon, filed September 19, 2003	324
(09002-03) Memorandum from AUS to CMP with attached memorandum addressing review of billing audits for Sprint, filed September 19, 2003	328
(09109-03) Order PSC-03-1061-PCO-TL on issues for hearing, issued September 23, 2003	330
(09129-03) AARP's motion to dismiss, filed September 23, 2003	336
(09315-03) Sprint's response in opposition to AARP's motion to dismiss, filed September 29, 2003	341
(09403-03) BellSouth's response to AARP's motion to dismiss, filed September 30, 2003	345
(09404-03) Revised petition by BellSouth for implementation of Section 364.164, Florida Statutes, filed September 30, 2003	349
(09427-03) Commission vote sheet from September 30, 2003 agenda conference, filed October 1, 2003	357
(09486-03) Sprint's amended petition to reduce intrastate switched network access rates to interstate parity in a revenue neutral manner, filed October 1, 2003	359
(09522-03) Amended petition of Verizon to reform its intrastate network access and basic local telecommunications rates in accordance with Florida Statutes, Section 364.164, filed October 2, 2003	378

VOLUME 3

(09542-03) Request to establish docket, by Commission staff, filed October 2, 2003	402
(09714-03) Order PSC-03-1118-PCO-TL modifying order establishing procedure, issued October 7, 2003	403
(09767-03) Order PSC-03-1125-PCO-TL granting, in part, and denying, in part, Citizens's (OPC) motion to hold expedited public hearings, issued October 8, 2003	407

(09780-03) Transcript of agenda conference, Item No. 5, held September 30, 2003
in Tallahassee, filed October 8, 2003 417

(10062-03) Transcript of service hearing held October 1, 2003 in Jacksonville,
filed October 15, 2003 492

VOLUME 4

(10113-03) Transcript of service hearing held October 2, 2003 in Orlando,
filed October 16, 2003 579

(10114-03) Transcript of service hearing held October 3, 2003 in Tampa,
filed October 16, 2003 664

VOLUME 5

[Continuation of] (10114-03) Transcript of service hearing held October 3, 2003 in
Tampa, filed October 16, 2003 779

(10221-03) Order PSC-03-1155-PCO-TL on OPC's first motions to compel
and Verizon's motion for protective order, issued October 20, 2003 830

(10243-03) Order PSC-03-1172-FOF-TL on OPC's motion to dismiss the petitions,
issued October 20, 2003 871

(10244-03) Order PSC-03-1173-PCO-TL on Citizens' first motions to compel discovery
from Sprint, issued October 20, 2003 890

(10253-03) AARP's motion to dismiss petitions of BellSouth, Verizon, and Sprint for
failure to join indispensable parties, filed October 20, 2003 900

(10418-03) Transcript of service hearing held October 8, 2003 in Fort Lauderdale,
filed October 22, 2003 910

VOLUME 6

(10426-03) Memorandum from GCL and CMP to CCA, filed October 22, 2003 994

(10474-03) Transcript of service hearing held October 10, 2003 in Ocala,
filed October 23, 2003 1,005

(10546-03) Transcript of service hearing held October 13, 2003 in Pensacola,
filed October 27, 2003 1,111

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AARP,

Appellant,

vs.

Florida Public Service Commission, et al.,

Appellees.

Case No. SC04-946

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(10062-03) Transcript of service hearing held October 1, 2003 in Jacksonville,
filed October 15, 2003 492

VOLUME 4

(10113-03) Transcript of service hearing held October 2, 2003 in Orlando,
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VOLUME 5

[Continuation of] (10114-03) Transcript of service hearing held October 3, 2003 in
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and Verizon's motion for protective order, issued October 20, 2003 830

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(10546-03) Transcript of service hearing held October 13, 2003 in Pensacola,
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IN THE
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FILED
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BY _____

Charles J. Crist, Jr., Attorney General,
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Appellant,

vs.

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Case No. SC04-9

Harold McLean, Public Counsel,
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Case No. SC04-946

(09780-03) Transcript of agenda conference, Item No. 5, held September 30, 2003
in Tallahassee, filed October 8, 2003 417

(10062-03) Transcript of service hearing held October 1, 2003 in Jacksonville,
filed October 15, 2003 492

VOLUME 4

(10113-03) Transcript of service hearing held October 2, 2003 in Orlando,
filed October 16, 2003 579

(10114-03) Transcript of service hearing held October 3, 2003 in Tampa,
filed October 16, 2003 664

VOLUME 5

[Continuation of] (10114-03) Transcript of service hearing held October 3, 2003 in
Tampa, filed October 16, 2003 779

(10221-03) Order PSC-03-1155-PCO-TL on OPC's first motions to compel
and Verizon's motion for protective order, issued October 20, 2003 830

(10243-03) Order PSC-03-1172-FOF-TL on OPC's motion to dismiss the petitions,
issued October 20, 2003 871

(10244-03) Order PSC-03-1173-PCO-TL on Citizens' first motions to compel discovery
from Sprint, issued October 20, 2003 890

(10253-03) AARP's motion to dismiss petitions of BellSouth, Verizon, and Sprint for
failure to join indispensable parties, filed October 20, 2003 900

(10418-03) Transcript of service hearing held October 8, 2003 in Fort Lauderdale,
filed October 22, 2003 910

VOLUME 6

(10426-03) Memorandum from GCL and CMP to CCA, filed October 22, 2003 994

(10474-03) Transcript of service hearing held October 10, 2003 in Ocala,
filed October 23, 2003 1,005

(10546-03) Transcript of service hearing held October 13, 2003 in Pensacola,
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VOLUME 7

(10590-03) Sprint’s response in opposition to AARP’s motion to dismiss,
filed October 27, 2003 1,219

(10592-03) Verizon’s response to AARP’s motion to dismiss, filed October 27, 2003 1,227

(10595-03) Petition to intervene, on behalf of MCI WorldCom Communications, Inc.
 (“MCI”), filed October 27, 2003 1,237

(10596-03) Petition to intervene, on behalf of AT&T Communications of the
Southern States, LLC (“AT&T”), filed October 27, 2003 1,242

(10604-03) BellSouth’s response in opposition to AARP’s motion to dismiss petition
of BellSouth, Verizon, and Sprint for failure to join indispensable parties,
filed October 27, 2003 1,247

(10649-03) Transcript of service hearing held October 16, 2003 in Fort Myers,
filed October 28, 2003 1,258

(10650-03) Transcript of service hearing held October 17, 2003 in Sarasota,
filed October 28, 2003 1,320

VOLUME 8

(10675-03) Commission request for change to agenda conference,
filed October 29, 2003 1,430

(10747-03) Memorandum from GCL, CMP, MMS, and EXT to CCA,
filed October 30, 2003 1,431

(10862-03) Knology of Florida, Inc.’s (“Knology”) petition to intervene,
filed October 31, 2003 1,445

(10921-03) Commission vote sheet from November 3, 2003 agenda conference,
filed November 3, 2003 1,449

(10922-03) Commission vote sheet from November 3, 2003 agenda conference,
filed November 3, 2003 1,451

(10982-03) Order PSC-03-1240-PCO-TL consolidating dockets for hearing,
issued November 4, 2003 1,453

(11026-03) Letter dated November 5, 2003 from Charles J. Beck, OPC, to
Commission with attached exhibit offered by Sandra Padron from the
October 30, 2003 hearings held in Miami, filed November 5, 2003 1,457

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VOLUME 7

(10590-03) Sprint's response in opposition to AARP's motion to dismiss, filed October 27, 2003	1,219
(10592-03) Verizon's response to AARP's motion to dismiss, filed October 27, 2003	1,227
(10595-03) Petition to intervene, on behalf of MCI WorldCom Communications, Inc. ("MCI"), filed October 27, 2003	1,237
(10596-03) Petition to intervene, on behalf of AT&T Communications of the Southern States, LLC ("AT&T"), filed October 27, 2003	1,242
(10604-03) BellSouth's response in opposition to AARP's motion to dismiss petition of BellSouth, Verizon, and Sprint for failure to join indispensable parties, filed October 27, 2003	1,247
(10649-03) Transcript of service hearing held October 16, 2003 in Fort Myers, filed October 28, 2003	1,258
(10650-03) Transcript of service hearing held October 17, 2003 in Sarasota, filed October 28, 2003	1,320

VOLUME 8

(10675-03) Commission request for change to agenda conference, filed October 29, 2003	1,430
(10747-03) Memorandum from GCL, CMP, MMS, and EXT to CCA, filed October 30, 2003	1,431
(10862-03) Knology of Florida, Inc.'s ("Knology") petition to intervene, filed October 31, 2003	1,445
(10921-03) Commission vote sheet from November 3, 2003 agenda conference, filed November 3, 2003	1,449
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(11026-03) Letter dated November 5, 2003 from Charles J. Beck, OPC, to Commission with attached exhibit offered by Sandra Padron from the October 30, 2003 hearings held in Miami, filed November 5, 2003	1,457

(11037-03) BellSouth Long Distance, Inc.'s ("BellSouth Long Distance") petition for leave to intervene, filed November 5, 2003	1,607
Pages inadvertently left blank	1,611 - 1,640

VOLUME 9

(11128-03) Transcript of service hearing held October 23, 2003 in St. Petersburg, filed November 7, 2003	1,641
(11188-03) Protective Order PSC-03-1268-PCO-TL governing handling of confidential information, issued November 10, 2003	1,773
(11189-03) Second Order PSC-03-1269-PCO-TL modifying procedure for consolidated dockets to reflect additional docket, associated issues, and filing dates, issued November 10, 2003	1,778
(11200-03) Transcript of agenda conference, Item No. 4A, held November 3, 2003 in Tallahassee, filed November 10, 2003	1,785

VOLUME 10

(11201-03) Transcript of agenda conference, Item No. 5, held November 3, 2003 in Tallahassee, filed November 10, 2003	1,851
(11213-03) Transcript of service hearing held October 27, 2003 in Daytona Beach, filed November 10, 2003	1,926
(11243-03) AARP's response and opposition to intervention of Knology, AT&T, and MCI, filed November 10, 2003	2,022

VOLUME 11

(11276-03) Transcript of service hearing held October 29, 2003 in West Palm Beach, filed November 12, 2003	2,026
(11376-03) Petition to intervene, on behalf of Sprint Communications Company, Limited Partnership d/b/a Sprint ("Sprint LP"), filed November 14, 2003	2,131
(11377-03) Order PSC-03-1303-PCO-TL on OPC's second motions to compel Verizon, issued November 14, 2003	2,137
(11378-03) Order PSC-03-1304-PCO-TL on Citizens' second motion to compel responses to interrogatories from Sprint, issued November 14, 2003	2,161

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Pages inadvertently left blank 1,611 - 1,640

VOLUME 9

(11128-03) Transcript of service hearing held October 23, 2003 in St. Petersburg, filed November 7, 2003 1,641

(11188-03) Protective Order PSC-03-1268-PCO-TL governing handling of confidential information, issued November 10, 2003 1,773

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(11128-03) Transcript of service hearing held October 23, 2003 in St. Petersburg, filed November 7, 2003 1,641

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(11397-03) Transcript of service hearing held October 30, 2003 in Miami, filed November 14, 2003 2,176

VOLUME 12

[Continuation of] Transcript of service hearing held October 30, 2003 in Miami, filed November 14, 2003 2,227

(11449-03) Transcript of service hearing held November 4, 2003 in Fort Walton Beach, filed November 17, 2003 2,294

(11480-03) Petition of Charles J. Crist, Jr., Attorney General, State of Florida (“Attorney General”), to intervene, filed November 17, 2003 2,365

(11481-03) Attorney General’s motion for summary final order, filed November 17, 2003 2,371

(11636-03) Petition to intervene of Verizon Select Services Inc. (“Verizon Select”) and Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance (“Verizon Long Distance”), filed November 19, 2003 2,377

(11645-03) Order PSC-03-1325-PCO-TL granting intervention to AT&T, MCI, and Knology, issued November 19, 2003 2,383

(11759-03) Order PSC-03-1326-CFO-TL granting Sprint’s requests for confidential classification (Document Nos. 08011-03, 08944-03, 08996-03, 09489-03, 09578-03, 09621-03, 09829-03, 10142-03, 10288-03, 10587-03, 10776-03, 10838-03, 10846-03, 11002-03, and 11532-03, issued November 20, 2003 2,392

(11786-03) Joint motion of Verizon, Sprint, and BellSouth for reconsideration or clarification of the prehearing officer’s second order modifying procedure for consolidated dockets to reflect additional docket, associated issues, and filing dates, filed November 20, 2003 2,405

VOLUME 13

(11787-03) Request for oral argument, on behalf of Verizon, Sprint, and BellSouth, filed November 20, 2003 2,439

(11816-03) Commission staff’s prehearing statement, filed November 21, 2003 2,445

(11818-03) Order PSC-03-1331-FOF-TL denying AARP’s motion to dismiss, issued November 21, 2003 2,454

(11847-03) Sprint’s prehearing statement, filed November 21, 2003 2,468

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(11397-03) Transcript of service hearing held October 30, 2003 in Miami, filed November 14, 2003	2,176
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VOLUME 12

[Continuation of] Transcript of service hearing held October 30, 2003 in Miami, filed November 14, 2003	2,227
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(11449-03) Transcript, of service hearing held November 4, 2003 in Fort Walton Beach, filed November 17, 2003	2,294
---	-------

(11480-03) Petition of Charles J. Crist, Jr., Attorney General, State of Florida ("Attorney General"), to intervene, filed November 17, 2003	2,365
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(11481-03) Attorney General's motion for summary final order, filed November 17, 2003	2,371
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(11787-03) Request for oral argument, on behalf of Verizon, Sprint, and BellSouth, filed November 20, 2003	2,439
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(11397-03) Transcript of service hearing held October 30, 2003 in Miami, filed November 14, 2003	2,176
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VOLUME 12

[Continuation of] Transcript of service hearing held October 30, 2003 in Miami, filed November 14, 2003	2,227
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(11787-03) Request for oral argument, on behalf of Verizon, Sprint, and BellSouth, filed November 20, 2003	2,439
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--	-------

(11847-03) Sprint’s prehearing statement, filed November 21, 2003	2,468
---	-------

(11848-03) Citizens' prehearing statement, filed November 21, 2003	2,477
(11869-03) Prehearing statement of the Attorney General, filed November 21, 2003	2,489
(11872-03) Verizon's prehearing statement, filed November 21, 2003	2,496
(11873-03) Joint prehearing statement of AT&T and MCI, filed November 21, 2003	2,509
(11878-03) Prehearing statement of BellSouth, filed November 21, 2003	2,522
(11879-03) Sprint LP's initial prehearing statement, filed November 21, 2003	2,532
(11880-03) Common Cause Florida ("Common Cause") petition to intervene, filed November 21, 2003	2,541
(11881-03) AARP's prehearing statement, filed November 21, 2003	2,550
(11882-03) Knology's prehearing statement, filed November 21, 2003	2,561
(11892-03) Prehearing statement of Verizon Long Distance, Verizon Enterprise, and Verizon Select, filed November 21, 2003	2,567
(11895-03) Sugarmill Woods Civic Association, Inc.'s ("Sugarmill") petition to intervene, filed November 24, 2003	2,574
(11920-03) BellSouth Long Distance's prehearing statement, filed November 24, 2003	2,580
(11951-03) Memorandum from AUS to CMP with final audit of BellSouth on verification of pricing units (Audit Control No. 03-247-1-1), filed November 24, 2003	2,589
(11952-03) Memorandum from AUS to CCA forwarding index for confidential BellSouth audit (Audit Control No. 03-247-1-1), filed November 24, 2003	2,608
(12061-03) Order PSC-03-1349-CFO-TL granting Verizon's request for specified confidential classification for Document No. 08008-03, issued November 26, 2003	2,610
(12062-03) Order PSC-03-1350-CFO-TL granting Verizon's request for specified confidential classification for Document No. 08885-03, issued November 26, 2003	2,616
(12063-03) Order PSC-03-1351-CFO-TL granting Verizon's request for specified confidential classification for Document No. 09301-03 (x-ref. 08994-03), issued November 26, 2003	2,622

(12064-03) Order PSC-03-1352-CFO-TL granting Verizon's request for specified confidential classification for Document No. 09366-03, issued November 26, 2003	2,628
(12065-03) Order PSC-03-1353-CFO-TL granting Verizon's request for specified confidential classification for Document No. 09449-03, issued November 26, 2003	2,634

VOLUME 14

(12066-03) Order PSC-03-1354-CFO-TL granting Verizon's request for specified confidential classification for Document No. 09527-03 (x-ref. 08008-03), issued November 26, 2003	2,640
(12067-03) Order PSC-03-1355-CFO-TL granting Verizon's request for specified confidential classification for Document No. 10128-03, issued November 26, 2003	2,646
(12068-03) Order PSC-03-1356-CFO-TL granting Verizon's request for specified confidential classification for Document No. 10632-03, issued November 26, 2003	2,652
(12069-03) Order PSC-03-1357-CFO-TL granting Verizon's request for specified confidential classification for Document No. 10823-03, issued November 26, 2003	2,658
(12082-03) Cover letter dated November 26, 2003 from Charles J. Beck, OPC, to Commission advising of the filing of rebuttal testimony of Bion C. Ostrander, containing information claimed confidential by four different companies, filed November 26, 2003	2,664
(12146-03) Verizon's response to the Attorney General's motion for summary final order, filed December 1, 2003	2,667
(12147-03) Citizens' joinder with Attorney General's motion for summary final order, filed December 1, 2003	2,679
(12149-03) Citizens' response to joint motion of Verizon, Sprint, and BellSouth for reconsideration or clarification of the prehearing officer's second order modifying procedure for consolidated dockets to reflect additional docket, associated issues, and filing dates, filed December 1, 2003	2,685
(12150-03) Sprint's response in opposition to Attorney General's motion for summary final order, filed December 1, 2003	2,700

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State of Florida,

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Case No. SC04-946

(12064-03) Order PSC-03-1352-CFO-TL granting Verizon's request for specified confidential classification for Document No. 09366-03, issued November 26, 2003 2,628

(12065-03) Order PSC-03-1353-CFO-TL granting Verizon's request for specified confidential classification for Document No. 09449-03, issued November 26, 2003 2,634

VOLUME 14

(12066-03) Order PSC-03-1354-CFO-TL granting Verizon's request for specified confidential classification for Document No. 09527-03 (x-ref. 08008-03), issued November 26, 2003 2,640

(12067-03) Order PSC-03-1355-CFO-TL granting Verizon's request for specified confidential classification for Document No. 10128-03, issued November 26, 2003 2,646

(12068-03) Order PSC-03-1356-CFO-TL granting Verizon's request for specified confidential classification for Document No. 10632-03, issued November 26, 2003 2,652

(12069-03) Order PSC-03-1357-CFO-TL granting Verizon's request for specified confidential classification for Document No. 10823-03, issued November 26, 2003 2,658

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(12150-03) Sprint's response in opposition to Attorney General's motion for summary final order, filed December 1, 2003 2,700

(12159-03) Response in opposition to motion for summary final order, on behalf of AT&T and MCI, filed December 1, 2003 2,708

(12166-03) AARP's joinder with Attorney General's motion for summary final order, filed December 1, 2003 2,718

(12172-03) BellSouth's response in opposition to Attorney General's motion for summary final order, filed December 1, 2003 2,721

(12253-03) Order PSC-03-1366-PCO-TL on OPC's second and third motions to compel interrogatories and production of documents from BellSouth, issued December 2, 2003 2,747

(12269-03) Transcript of prehearing conference held November 24, 2003 in Tallahassee, filed December 3, 2003 2,772

(12303-03) Prehearing Order PSC-03-1367-PHO-TL, issued December 3, 2003 2,800

VOLUME 15

(12304-03) Order PSC-03-1368-CFO-TL granting Verizon's request for specified confidential classification for Document No. 10697-03, issued December 3, 2003 2,853

(12306-03) Amendatory Order PSC-03-1326A-CFO-TL, issued December 3, 2003 2,860

(12341-03) Request for official notice, on behalf of AARP, filed December 3, 2003 2,862

(12342-03) Transcript of floor debate on House Bill 1903 before the Florida House of Representatives held April 30, 2003 in Tallahassee, on behalf of AARP, filed December 3, 2003 2,866

(12343-03) Transcript of floor debate on Committee Substitute for Senate Bill 654 before the Florida Senate held April 30, 2003 in Tallahassee, on behalf of AARP, filed December 3, 2003 2,885

(12344-03) Transcript of floor debate on House Bill 1903 and Senate Bill 654 before the Florida House of Representatives held May 1, 2003 in Tallahassee, on behalf of AARP, filed December 3, 2003 2,930

(12347-03) Letter submitting comments on final audit report (Audit Control No. 03-247-1-1), on behalf of BellSouth, filed December 3, 2003 2,977

(12501-03) Citizens' motion for reconsideration of Commission Order No. PSC-03-1331-FOF-TL, filed December 5, 2003 2,981

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(12159-03) Response in opposition to motion for summary final order, on behalf of AT&T and MCI, filed December 1, 2003	2,708
(12166-03) AARP's joinder with Attorney General's motion for summary final order, filed December 1, 2003	2,718
(12172-03) BellSouth's response in opposition to Attorney General's motion for summary final order, filed December 1, 2003	2,721
(12253-03) Order PSC-03-1366-PCO-TL on OPC's second and third motions to compel interrogatories and production of documents from BellSouth, issued December 2, 2003	2,747
(12269-03) Transcript of prehearing conference held November 24, 2003 in Tallahassee, filed December 3, 2003	2,772
(12303-03) Prehearing Order PSC-03-1367-PHO-TL, issued December 3, 2003	2,800

VOLUME 15

(12304-03) Order PSC-03-1368-CFO-TL granting Verizon's request for specified confidential classification for Document No. 10697-03, issued December 3, 2003	2,853
(12306-03) Amendatory Order PSC-03-1326A-CFO-TL, issued December 3, 2003	2,860
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(12344-03) Transcript of floor debate on House Bill 1903 and Senate Bill 654 before the Florida House of Representatives held May 1, 2003 in Tallahassee, on behalf of AARP, filed December 3, 2003	2,930
(12347-03) Letter submitting comments on final audit report (Audit Control No. 03-247-1-1), on behalf of BellSouth, filed December 3, 2003	2,977
(12501-03) Citizens' motion for reconsideration of Commission Order No. PSC-03-1331-FOF-TL, filed December 5, 2003	2,981

(12572-03) Order PSC-03-1384-CFO-TL granting BellSouth's requests for specified confidential classification (Document Nos. 08022-03, 08043-03, 08044-03, 08045-03, 08671-03, 09412-03, 09952-03, 10204-03, and 10338-03), issued December 8, 2003 3,002

(12610-03) AARP's motion for reconsideration of Commission Order No. PSC-03-1331-FOF-TL, or in the alternative to have Order reflect actual Commission vote, filed December 8, 2003 3,024

(12635-03) Joint response of Verizon, Sprint, and BellSouth in opposition to AARP's request for official notice, filed December 8, 2003 3,038

(12636-03) Joint motion of Verizon, Sprint, and BellSouth to strike portions of witness Cooper's direct testimony, filed December 8, 2003 3,049

VOLUME 16

(12672-03) Memorandum dated December 9, 2003 from Commission's Division of Competitive Markets and Enforcement to Commissioners with attached brief summary of testimony from the public hearings, filed December 9, 2003 3,057

(12682-03) Memorandum dated December 9, 2003 from CMP to Commissioners with attached brief summaries of testimony compiled for each BellSouth, Verizon, and Sprint from the public hearings, filed December 9, 2003 3,062

(12691-03) Notice of Attorney General of joining Citizens' motion for reconsideration of Commission Order No. PSC-03-1331-FOF-TL, filed December 9, 2003 3,108

(12693-03) Joint response of Verizon, Sprint, and BellSouth in opposition to Citizens' and AARP's motions for reconsideration of Commission Order No. PSC-03-1331-FOF-TL and to AARP's alternative motion to have Order reflect actual Commission vote, filed December 10, 2003 3,112

(12720-03) Order PSC-03-1386-PCO-TL on OPC's motion to compel against AT&T; motion to require AT&T to respond by Monday, December 8, 2003; and request for ruling of prehearing officer by Tuesday, December 9, 2003, issued December 10, 2003 ... 3,123

(12840-03) Transcript of service hearing held December 10, 2003 in Tallahassee, filed December 11, 2003 3,132

(12927-03) Order PSC-03-1401-CFO-TL granting BellSouth's request for specified confidential classification of Document No. 11890-03 (x-reference Document Nos. 10838-03 and 10846-03), issued December 12, 2003 3,200

(12928-03) Order PSC-03-1402-CFO-TL granting Verizon's request for specified confidential classification for Document No. 11928-03, issued December 12, 2003 3,207

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(12928-03) Order PSC-03-1402-CFO-TL granting Verizon's request for specified confidential classification for Document No. 11928-03, issued December 12, 2003 3,207

(12937-03) Order PSC-03-1403-CFO-TL granting Verizon Long Distance's request for specified confidential classification for Document No. 11662-03, issued December 12, 2003	3,213
(12938-03) Order PSC-03-1404-CFO-TL granting Sprint's requests for confidential classification (Document Nos. 11688-03 and 11796-03), issued December 12, 2003	3,219
(12939-03) Order PSC-03-1405-CFO-TL granting Verizon's request for specified confidential classification for Document No. 11931-03, issued December 12, 2003	3,228
(12940-03) Order PSC-03-1406-CFO-TL granting Knology's request for specified confidential classification for Document No. 12491-03, issued December 12, 2003	3,234
(12956-03) Order PSC-03-1408-CFO-TL granting Verizon's request for specified confidential classification for Document No. 11728-03, issued December 12, 2003	3,241
(12958-03) Memorandum from AUS to CMP in re Fulp's revised billing unit testimony, filed December 12, 2003	3,247
(13041-03) Amendatory Order PSC-03-1405A-CFO-TL, issued December 16, 2003	3,249
(13123-03) Order PSC-03-1432-CFO-TL granting Verizon's request for specified confidential classification for Document Nos. 11643-03 and 12272-03, issued December 17, 2003	3,251

VOLUME 17

(13164-03) Memorandum dated December 17, 2003 from GCL to CCA with attached PowerPoint presentations, filed December 18, 2003	3,257
(13460-03) Order PSC-03-1469-FOF-TL on access charge reduction petitions, issued December 24, 2003	3,291
(00211-04) Notice of appeal of Attorney General, filed January 7, 2004	3,350
(00212-04) Notice of appeal of Harold McLean, OPC, filed January 7, 2004	3,411

VOLUME 18

(00229-04, 00230-04) Letter from Cecilia Bradley, Office of the Attorney General, with attached certificates of service to be included with notices of appeal by Attorney General and OPC, filed January 7, 2004	3,472
(00363-04) Motion of Attorney General for reconsideration, filed January 8, 2004	3,475

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VOLUME 17

(13164-03) Memorandum dated December 17, 2003 from GCL to CCA with attached PowerPoint presentations, filed December 18, 2003 3,257.

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VOLUME 18

(00229-04, 00230-04) Letter from Cecilia Bradley, Office of the Attorney General, with attached certificates of service to be included with notices of appeal by Attorney General and OPC, filed January 7, 2004 3,472

(00363-04) Motion of Attorney General for reconsideration, filed January 8, 2004 3,475

(00375-04) AARP's request for oral argument on reconsideration of Commission Order No. PSC-03-1469-FOF-TL, filed January 8, 2004	3,510
(00376-04) AARP's motion for reconsideration of Commission Order No. PSC-03-1469-FOF-TL, filed January 8, 2004	3,514
(00464-04) Motion of Attorney General for oral argument on his motion for reconsideration, filed January 12, 2004	3,528
(00517-04) Order PSC-04-0037-PCO-TL extending time for filing responses to motions for reconsideration, issued January 13, 2004	3,531
(02203-04) Order PSC-03-1326B-CFO-TP amended to reflect confidential treatment granted to Document No. 11533-03, issued February 17, 2004	3,535
(03115-04) Order PSC-04-0239-CFO-TL granting Sprint's requests for confidential classification of Document Nos. 12155-03, 11499-03, 12608-03, 11885-03, 12514-03, 11531-03, 11794-03, and cross-referenced Hearing Exhibits 41 and 43, issued March 3, 2004	3,537
(03169-04) Order PSC-04-0242-CFO-TL granting AT&T's request for specified confidential classification for Document No. 12680-03, issued March 4, 2004	3,546
(03170-04) Order PSC-04-0243-CFO-TL granting MCI's request for specified confidential classification for Document No. 12023-03, issued March 4, 2004	3,551
(03171-04) Order PSC-04-0244-CFO-TL granting AT&T's request for specified confidential classification for Document No. 11694-03 and Confidential Hearing Exhibit 75, issued March 4, 2004	3,556
(03254-04) Order PSC-04-0256-CFO-TL granting BellSouth's request for specified confidential classification of Document No. 12716-03, issued March 8, 2004	3,561
(03255-04) Order PSC-04-0257-CFO-TL granting BellSouth's request for specified confidential classification of Document No. 12697-03 (cross-reference Document No. 12258-03), issued March 8, 2004	3,569
(03256-04) Order PSC-04-0258-CFO-TL granting BellSouth's request for specified confidential classification of Document No. 12709-03 (cross-reference Document Nos. 08022-03 and 09412-03), and Document No. 12700-03 (cross-reference Document Nos. 11683-03, 11684-03, and 11685-03), issued March 8, 2004	3,574
(03257-04) Order No. PSC-04-0259-CFO-TL granting BellSouth's requests for specified confidential classification of Document No. 12703-03 (cross-reference Document Nos. 08022-03 and 09412-03), Document No. 12706-03 (cross-reference Document No. 12053-03), Document No. 12712-03 (cross-reference Document No. 11783-03), and Document No. 12634-03, issued March 8, 2004	3,582

(03490-04) Verizon’s response in opposition to ARP’s motion for reconsideration, filed March 15, 2004 3,592

(03492-04) Joint response of AT&T and MCI to AARP and Attorney General motions for reconsideration, filed March 15, 2004 3,623

(03493-04) Sprint’s response in opposition to motion for reconsideration and request for oral argument of Attorney General, filed March 15, 2004 3,645

(03494-04) Sprint’s response in opposition to motion for reconsideration and request for oral argument of AARP, filed March 15, 2004 3,661

VOLUME 19

(03504-04) Response of BellSouth and BellSouth Long Distance to AARP’s motion for reconsideration and request for oral argument, filed March 15, 2004 3,679

(03505-04) Response of BellSouth and BellSouth Long Distance to Attorney General’s motion for reconsideration and motion for oral argument, filed March 15, 2004 3,696

(03586-04) Document entitled “Attorney General seeks public access to documents in phone rate hike case”, attached amended request for oral argument, and copies of letters dated March 17, 2004 to MCI, Verizon, Sprint, BellSouth, and AT&T, on behalf of Attorney General, filed March 17, 2004 3,712

(03665-04) Letter dated March 17, 2004 to Commission’s General Counsel from Attorney General, filed March 18, 2004 3,723

(03995-04) Verizon’s response in opposition to Attorney General’s amended request for oral argument, filed March 29, 2004 3,724

(03999-04) Sprint’s response in opposition to Attorney General’s amended request for oral argument, filed March 29, 2004 3,731

(04018-04) Joint response to AT&T and MCI to the Attorney General’s amended request for oral argument, filed March 29, 2004 3,737

(04031-04) Response of BellSouth and BellSouth Long Distance to Attorney General’s amended request for oral argument, filed March 29, 2004 3,747

(04336-04) Amendatory Order PSC-04-0239A-CFO-TL, issued April 7, 2004 3,756

(04361-04) Notice of Commission conference for publication in April 16, 2004 Florida Administrative Weekly, filed April 7, 2004 3,758

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(03494-04) Sprint’s response in opposition to motion for reconsideration and request for oral argument of AARP, filed March 15, 2004 **3,661**

VOLUME 19

(03504-04) Response of BellSouth and BellSouth Long Distance to AARP’s motion for reconsideration and request for oral argument, filed March 15, 2004 **3,679**

(03505-04) Response of BellSouth and BellSouth Long Distance to Attorney General’s motion for reconsideration and motion for oral argument, filed March 15, 2004 **3,696**

(03586-04) Document entitled “Attorney General seeks public access to documents in phone rate hike case”, attached amended request for oral argument, and copies of letters dated March 17, 2004 to MCI, Verizon, Sprint, BellSouth, and AT&T, on behalf of Attorney General, filed March 17, 2004 **3,712**

(03665-04) Letter dated March 17, 2004 to Commission’s General Counsel from Attorney General, filed March 18, 2004 **3,723**

(03995-04) Verizon’s response in opposition to Attorney General’s amended request for oral argument, filed March 29, 2004 **3,724**

(03999-04) Sprint’s response in opposition to Attorney General’s amended request for oral argument, filed March 29, 2004 **3,731**

(04018-04) Joint response to AT&T and MCI to the Attorney General’s amended request for oral argument, filed March 29, 2004 **3,737**

(04031-04) Response of BellSouth and BellSouth Long Distance to Attorney General’s amended request for oral argument, filed March 29, 2004 **3,747**

(04336-04) Amendatory Order PSC-04-0239A-CFO-TL, issued April 7, 2004 **3,756**

(04361-04) Notice of Commission conference for publication in April 16, 2004 Florida Administrative Weekly, filed April 7, 2004 **3,758**

(04534-04) Notice of rescheduling of Commission conference for publication in April 23, 2004 Florida Administrative Weekly, filed April 14, 2004 3,760

(04647-04) Attorney General’s notice of supplemental authority, filed April 19, 2004 3,762

(04838-04) Memorandum from GCL and CMP to CCA, filed April 26, 2004 3,791

(04898-04) Memorandum from GCL to CCA with attached documents distributed to Commissioners by staff during final consideration of issues on December 16, 2003, filed April 27, 2004 3,810

(05058-04) Amendatory Order PSC-04-0243A-CFO-TL issued May 3, 2004 3,816

(05117-04) Order PSC-04-0456-FOF-TL on motions for reconsideration, issued May 4, 2004 3,818

(05147-04) Transcript of special agenda held May 3, 2004, filed May 4, 2004 3,836

VOLUME 20

(05221-04) Vote sheet from May 3, 2004 Commission conference, filed May 5, 2004 3,890

(06243-04) Amended notice of appeal of Attorney General, filed June 1, 2004 3,892

(06244-04) Amended notice of appeal of OPC, filed June 1, 2004 3,973

(06287-04) AARP notice of appeal, filed June 3, 2004 3,978

Certificate of Director, Division of the Commission Clerk and Administrative Services ... 4,000

IN THE
SUPREME COURT OF FLORIDA

Charles J. Crist, Jr., Attorney General,
State of Florida,

Appellant,

vs.

Florida Public Service Commission, et al.,

Appellees,

Harold McLean, Public Counsel,
State of Florida,

Appellant,

vs.

Florida Public Service Commission, et al.,

Appellees,

AARP,

Appellant,

vs.

Florida Public Service Commission, et al.,

Appellees.

Case No. SC04-9

Case No. SC04-10

Case No. SC04-946

FILED
THOMAS H. HALL
2004 DEC -6 P 4:44
CLERK, SUPREME COURT
BY _____

(04534-04) Notice of rescheduling of Commission conference for publication
in April 23, 2004 Florida Administrative Weekly, filed April 14, 2004 **3,760**

(04647-04) Attorney General's notice of supplemental authority,
filed April 19, 2004 **3,762**

(04838-04) Memorandum from GCL and CMP to CCA,
filed April 26, 2004 **3,791**

(04898-04) Memorandum from GCL to CCA with attached documents
distributed to Commissioners by staff during final consideration of issues
on December 16, 2003, filed April 27, 2004 **3,810**

(05058-04) Amendatory Order PSC-04-0243A-CFO-TL issued May 3, 2004 **3,816**

(05117-04) Order PSC-04-0456-FOF-TL on motions for reconsideration,
issued May 4, 2004 **3,818**

(05147-04) Transcript of special agenda held May 3, 2004, filed May 4, 2004 **3,836**

VOLUME 20

(05221-04) Vote sheet from May 3, 2004 Commission conference, filed May 5, 2004 **3,890**

(06243-04) Amended notice of appeal of Attorney General, filed June 1, 2004 **3,892**

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