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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 060822-TL

In the Matter of:

PETITION FOR RELIEF FROM CARRIER-OF-
LAST-RESORT (COLR) OBLIGATIONS PURSUANT
TO FLORIDA STATUTES 364.025(6)(D) FOR
TWO PRIVATE SUBDIVISIONS IN NOCATEE
DEVELOPMENT, BY BELLSOUTH
TELECOMMUNICATIONS, INC.



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THE OFFICIAL TRANSCRIPT OF THE HEARING,
THE .PDF VERSION INCLUDES PREFILED TESTIMONY.

PROCEEDINGS: PREHEARING

BEFORE: COMMISSIONER MATTHEW M. CARTER, II
 Prehearing Officer

DATE: Monday, July 9, 2007

TIME: Commenced at 1:30 p.m.
 Concluded at 1:34 p.m.

PLACE: Betty Easley Conference Center
 Room 148
 4075 Esplanade Way
 Tallahassee, Florida

REPORTED BY: LINDA BOLES, RPR, CRR
 Official FPSC Reporter
 (850) 413-6734

1 APPEARANCES:

2 JAMES MEZA, III, ESQUIRE, and TRACY W. HATCH,
3 ESQUIRE, AT&T Florida, c/o Nancy H. Sims, 150 South Monroe
4 Street, Suite 400, Tallahassee, Florida 32301-1556, appearing
5 on behalf of AT&T Florida.

6 FLOYD R. SELF, ESQUIRE, Messer Law Firm, Post Office
7 Box 15579, Tallahassee, Florida 32317, appearing on behalf of
8 Nocatee Development Company, et al.

9 M. LYNN PAPPAS, ESQUIRE, c/o Pappas Law Firm, 245
10 Riverside Avenue, Suite 400, Jacksonville, 32202, appearing on
11 behalf of Nocatee Development Company, et al.

12 H. F. RICK MANN, ESQUIRE, and PATRICK K. WIGGINS,
13 ESQUIRE, FPSC General Counsel's Office, 2540 Shumard Oak
14 Boulevard, Tallahassee, Florida 32399-0850, appearing on behalf
15 of the Commission Staff.

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P R O C E E D I N G S

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2 COMMISSIONER CARTER: Call this hearing to order.
3 Staff, would you please read the notice.

4 MR. MANN: Pursuant to notice issued on June 22,
5 2007, and June 29, 2007, this time and place has been set for a
6 prehearing in Docket Number 060822-TL.

7 COMMISSIONER CARTER: Okay. Let's take appearances.
8 You're recognized.

9 MR. MANN: Rick Mann and --

10 COMMISSIONER CARTER: Hold on, staff. Wait.

11 Mr. Meza.

12 MR. MEZA: Thank you, Mr. Chairman. Jim Meza on
13 behalf of AT&T Florida. With me is Tracy Hatch.

14 COMMISSIONER CARTER: Okay. Mr. Self.

15 MR. SELF: Floyd Self of the Messer, Caparello & Self
16 Law Firm on behalf of Nocatee and the other entities that are
17 listed in the draft order. And I'd also like to enter an
18 appearance for Lynn Pappas of the Pappas firm in Jacksonville.

19 COMMISSIONER CARTER: Okay. Staff.

20 MR. MANN: And H.F. Rick Mann along with Patrick
21 Wiggins for staff.

22 COMMISSIONER CARTER: Okay. Are there any
23 preliminary matters?

24 Okay. Let's move on with the procedural matters. I
25 don't usually like to mention them unless there's a question or

1 concern. So is there anything in terms of -- I think that we
2 can skip down to pending confidentiality matters. Is that the
3 first thing that we've got a question on?

4 MR. MANN: To my knowledge, yes, sir.

5 COMMISSIONER CARTER: Okay. All righty. Who, who's
6 on first with this?

7 MR. MANN: And this is simply, Commissioner, from the
8 prehearing statements from AT&T Florida as well as from Nocatee
9 Development Company. I don't know that there are any concerns
10 with this. The appropriate orders will be issued. But
11 otherwise it's just to alert you to the fact that there are
12 some confidential dockets involved in this hearing.

13 COMMISSIONER CARTER: Okay. Any questions of either
14 of the parties?

15 MR. MEZA: No, sir.

16 COMMISSIONER CARTER: Okay. We're down now to
17 opening statements and closing arguments. We'll just do ten
18 minutes combined or you can do, break it up however you wish,
19 but ten minutes per party. All right?

20 MR. SELF: For opening statements or --

21 COMMISSIONER CARTER: Yeah. Or any closing. Just
22 you've got ten minutes. You don't have to use them because you
23 have ten minutes, but brevity will be appreciated.

24 MR. SELF: Oh.

25 MR. MEZA: That's fine, sir. Thank you.

1 COMMISSIONER CARTER: Are you guys covered with that?
2 Any outstanding issues?

3 Okay. For the record, we've gone through the hearing
4 order. There's no questions on any of the sections, Sections
5 I, I through XIV.

6 Other, staff, other than the opening statements, are
7 there any other issues that we need to rule on?

8 MR. MANN: None that staff is aware of, Commissioner.

9 COMMISSIONER CARTER: Okay. Any further questions by
10 any of the parties?

11 MR. MEZA: None from AT&T Florida, sir.

12 COMMISSIONER CARTER: Oh, excellent.

13 MR. SELF: Commissioner Carter.

14 COMMISSIONER CARTER: Yes, sir.

15 MR. SELF: Just one thing.

16 COMMISSIONER CARTER: I had my hand on the gavel.
17 You saw me?

18 Go ahead. You're recognized.

19 MR. SELF: I was trying to be fast, and I don't want
20 to be long. When we first met to set issues in this case, the
21 bottom line is you ended up with the one issue that's here in
22 the draft order, and I have no objections or problems to that.
23 But I, but I do want the Commission to understand that in
24 addressing this issue there are some subissues that are
25 incorporated with that, within that. And sort of the second

1 set of issues that are associated with this is whether there's
2 a carrier-of-last-resort obligation or not, what compensation,
3 if any, is due to AT&T in order to serve these developments?
4 And I believe testimony has been filed and discovery has been
5 pursued on that basis, but I just want to make sure that the
6 Commission understands that there is that issue subsumed within
7 this one. Because answering this question really isn't going
8 to necessarily resolve the whole case.

9 COMMISSIONER CARTER: Duly noted.

10 MR. SELF: Thank you.

11 COMMISSIONER CARTER: Do all parties have the
12 significant dates? Do you have those dates?

13 MR. MANN: Yes, sir.

14 COMMISSIONER CARTER: Okay. Any questions about the
15 dates? Any further matters before the bench from any of the
16 parties or staff?

17 Hearing none, we are adjourned.

18 (Prehearing Conference adjourned at 1:34 p.m.)

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1 STATE OF FLORIDA)
 :
2 COUNTY OF LEON) CERTIFICATE OF REPORTER

3

4 I, LINDA BOLES, RPR, CRR, Official Commission
Reporter, do hereby certify that the foregoing proceeding was
5 heard at the time and place herein stated.


6 IT IS FURTHER CERTIFIED that I stenographically
reported the said proceedings; that the same has been
7 transcribed under my direct supervision; and that this
transcript constitutes a true transcription of my notes of said
8 proceedings.

9 I FURTHER CERTIFY that I am not a relative, employee,
attorney or counsel of any of the parties, nor am I a relative
10 or employee of any of the parties' attorneys or counsel
connected with the action, nor am I financially interested in
11 the action.

12 DATED THIS 9th day of July, 2007.

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LINDA BOLES, RPR, CRR
FPSC Official Commission Reporter
(850) 413-6734

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