



at&t

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FILED JAN 21, 2014
DOCUMENT NO. 00360-14
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January 21, 2014

Ms. Ann Cole
Commission Clerk
Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

**RE: Docket No. 120208-TX:
Petition of the Competitive Carriers of the South, Inc., to initiate
rulemaking to revise and amend portions of Rule 25-22.0365,
Florida Administrative Code**

Dear Ms. Cole:

Enclosed is BellSouth Telecommunications, LLC d/b/a AT&T Florida's
Comments, which we ask that you file in the captioned docket.

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

Sincerely,

s/Tracy W. Hatch

Tracy W. Hatch

cc: Parties of Record
Gregory R. Follensbee

1098130

**Certificate of Service
Docket No. 120208-TX**

I HEREBY CERTIFY that a true and correct copy was served via Electronic Mail and First Class U. S. Mail this 21th day of January, 2014 to the following:

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s/Tracy W. Hatch

Tracy W. Hatch

FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of the Competitive Carriers of the) Docket No. 120208-TX
South, Inc., to initiate rulemaking to revise and)
Amend portions of Rule 25-22.0365, Florida)
Administrative Code)
_____) Filed: January 21, 2014

COMMENTS OF AT&T FLORIDA

BellSouth Telecommunications, LLC d/b/a AT&T Florida (“AT&T Florida”) appreciates the opportunity file these Comments regarding the draft of proposed changes to Rule 25-22.0365, Florida Administrative Code, circulated for comment by the Staff of the Florida Public Service Commission on January 6, 2014. AT&T Florida continues to maintain that no one has shown a compelling reason to alter Rule 25-22.0365. However, based on the substantial revisions from prior drafts, the current draft of proposed changes substantially eliminates AT&T Florida’s prior objections. AT&T’s comments on the current draft are primarily directed to potential problems created by the proposed time schedule set forth in draft rule.¹

Rule 25-22.0365(8) currently provides that the Prehearing Officer may not rule on a request for expedited proceeding before 14 days. Section (9)(c) of the draft rule requires the filing of petitions to intervene and intervenor testimony on “Day 14.” As a result, potential intervenors will be forced to file before they can know whether there will even be an expedited proceeding; this is an unreasonable burden on potential intervenors.

While AT&T Florida does not agree that the current timeline in the Rule needs to be changed, if the Commission is inclined to modify the timelines then certain modifications should be made to the proposed draft. AT&T suggests that the time in which the Prehearing Officer

¹ All references in AT&T Florida’s Comments are to the sections or subsections in the text of the draft proposed rule that was circulated by the Staff of the Florida Public Service Commission on January 6, 2014, unless the context provides otherwise. Highlighted text indicates AT&T Florida’s suggested changes to the draft rule.

may rule on a request for expedited proceeding set forth in 25-22.0365(8) be changed from 14 days to 7 days. Once a response to a request for expedited proceeding is filed on “Day 7”, there is no reason for the Prehearing Officer to wait another 7days before a ruling on the request. AT&T Florida further suggests that the time for filing petitions to intervene and intervenor testimony be left at Day 21 as provided in the current Rule. This would avoid unnecessary pleadings and testimony if the request for expedited proceeding is denied.

Conclusion

AT&T continues to maintain that no changes to the current Rule 25-22.0365 are needed. To the extent that the Commission is inclined to adopt changes to the Rule, the proposed procedural milestones should be modified as discussed above.

Respectfully submitted this 21st day of January 2014.

BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T
FLORIDA

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