

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of MCI Tele-)	DOCKET NO. 890516-TI
communications Corporation to)	
Initiate Rulemaking Proceedings)	ORDER NO. 21213
to Amend Rule 25-24.480(6),)	
F.A.C., by Deleting the Require-)	ISSUED: 5-9-89
ment for Submission of Network)	
Capacity Information.)	

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 JOHN T. HERNDON

ORDER DENYING PETITION TO INITIATE RULEMAKING

BY THE COMMISSION:

On April 14, 1989, MCI Telecommunications Corporation (MCI) filed a protest of the tentative ruling of the Office of General Counsel denying its request for confidential treatment of its construction and capacity report. Along with its protest, MCI filed the present petition to amend subsection (6) of Rule 25-24.480 to delete the requirement to disclose capacity in future capacity and construction reports. The protest will be presented for disposition at a future agenda conference.

Staff is presently reviewing Rule 25-24.480 to determine the need for rulemaking regarding the entire rule -- not just subsection (6) of the rule. The Commission will be better served to have the benefit of staff's analysis and economic impact statement before it decides whether to initiate rulemaking. The Commission believes that the most efficient way to proceed is to deny MCI's request at this time and to consider undertaking rulemaking after staff has had a chance to gather more information regarding the need for, and the expected impact of, such rulemaking.

Therefore, in consideration of the foregoing, it is

ORDERED that MCI's petition to initiate rulemaking is hereby denied.

By ORDER of the Florida Public Service Commission
 this 9th day of May, 1989.


 STEVE TRIBBLE, Director
 Division of Records and Reporting

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