

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of CABLE TV FUND)	DOCKET NO. 891305-TI
12-BCD VENTURE d/b/a JONES INTERCABLE for))	
authority to provide interexchange tele-)	ORDER NO. 23713
communications service.)	
_____)	ISSUED: 11-01-90

ORDER DENYING MOTION TO HOLD APPLICATION IN ABEYANCE AND REQUIRING RESPONSE TO INTERROGATORIES

On November 17, 1989, CABLE TV FUND 12-BCD VENTURE d/b/a JONES INTERCABLE (Jones) filed an application for authority to provide interexchange telecommunications service. On February 2, 1990, the Staff of the Commission served its First Set of Interrogatories on Jones seeking additional information on the scope the company's operations. On March 4, 1990, Jones filed a "Motion to Hold IXC Application in Abeyance." In support of the Motion, Jones stated that its application raises several questions of first impression for the Commission and that to resolve these questions it "will be filing a request for declaratory statement." Pending resolution of its questions, Jones asked that its IXC application be held in abeyance. In its Motion Jones also asked that the time for responding to the interrogatories be suspended until its application is returned to active status.

The request for declaratory statement upon which Jones premised its motion has not been filed. Therefore, there is no reason to delay processing the Company's application or for futher delay in responding to the interrogatories. Accordingly, the Company's Motion to Hold IXC Application in Abeyance is denied. Further, Jones is directed to respond to Staff's First Set of Interrogatories within twenty (20) days of the date of this Order.

By ORDER of Gerald L. Gunter, Commissioner and Prehearing Officer, this 1st day of NOVEMBER, 1990



 GERALD L. GUNTER, Commissioner
 and Prehearing Officer

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or sewer utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.