



STATE OF FLORIDA

OFFICE OF THE PUBLIC COUNSEL

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JACK SHREVE
PUBLIC COUNSEL

March 29, 1991

Ms. Suzanne Summerlin
Division of Legal Services
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32301

Re: Dockets 900960-TL and 910163-TL

Dear Suzanne:

After sending you a letter last Tuesday I met with a representative of the Office of Statewide Prosecutor and the Attorney General's economic crimes unit. It is now our opinion that we would hinder their investigation of possible criminal activities by Southern Bell if we were to continue taking depositions in either docket 900960-TL or 910163-TL. We therefore do not want to go forward with the depositions set for April 10-11 in Miami and ask you to likewise consider canceling those depositions.

After the investigation is completed we may seek to obtain the results of that investigation pursuant to chapter 119, Florida Statutes. It is likely that the investigation will substantially mitigate, if not eliminate, the need for us to take depositions. We believe testimony should not be filed in either PSC docket until the investigation is completed and we have an opportunity to seek access to the investigative files once the case has been closed.

CMU We will, however, continue to investigate both of these dockets using other discovery tools, such as requests for production of documents, interrogatories, and requests for admissions.

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