

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Repeal of Rules) DOCKET NO. 951522-TS
25-4.0041, F.A.C., Provision of) ORDER NO. PSC-96-0677-FOF-TS
Shared Tenant Services for Hire,) ISSUED: May 23, 1996
and 25-24.557, F.A.C., Types of)
Shared Tenant Services)
Companies; and Proposed)
Amendment of Rules 25-24.555 and)
25-24.560 through 25-24.585,)
F.A.C., Relating to Shared)
Tenant Services)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER DENYING PETITIONS FOR DRAW-OUT PROCEEDINGS, GRANTING REQUESTS FOR EVIDENTIALRY HEARING, AND COMBINING DOCKETS 951511-TL AND 951522-TS FOR PURPOSES OF HEARING

At its regular Agenda Conference on April 30, 1996, the Commission considered ALLTEL Florida's, Inc., (ALLTEL) petition to suspend the rulemaking proceeding commenced in this docket and convene a draw-out proceeding. In the alternative, ALLTEL requested the rule hearing be suspended and the proceedings in Dockets Nos. 951511-TL and 951522-TS be consolidated for hearing September 18-20, 1996.

BellSouth Communications, Inc., (BellSouth) also petitioned the Commission to convene a draw-out proceeding or, in the alternative, conduct an evidentiary hearing.

The Commission found that the petitions were technically deficient to grant the request for a draw-out proceeding, but agreed that an evidentiary hearing was warranted.

It is therefore

ORDERED by the Florida Public Service Commission that ALLTEL's and BellSouth's petitions for draw-out proceedings be denied. It is further

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REGISTRATION REPORTING

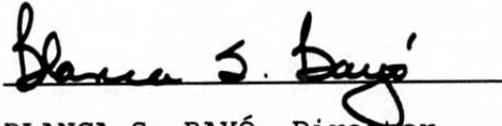
ORDER NO. PSC-96-0677-FOF-TS
DOCKET NO. 951522-TS
PAGE 2

ORDERED that ALLTEL's and BellSouth's request for an evidentiary hearing be granted. It is further

ORDERED that Dockets No. 951511-TL and 951522-TS be combined for the purposes of conducting an evidentiary hearing to consider evidence on policy for the purposes of rulemaking and all disputed issues of material fact thereto related. It is further

ORDERED that Order No. PSC-96-0665-PCO-TL in Docket No. 951511-TL should be referenced for procedure as well as the issues to be addressed.

BY ORDER of the Florida Public Service Commission, this 23rd day of May, 1996.

A handwritten signature in black ink, reading "Blanca S. Bayó", is written over a horizontal line.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

DWC

Commissioner Garcia dissented in Issues 2 and 4.

ORDER NO. PSC-96-0677-FOF-TS
DOCKET NO. 951522-TS
PAGE 3

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 the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) 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 by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.