

State of Florida



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**Public Service Commission**  
FPSC - Records/Reporting

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** January 21, 1998  
**TO:** BLANCA BAYO, DIRECTOR OF RECORDS AND REPORTING  
**FROM:** DIANA W. CALDWELL, DIVISION OF APPEALS *DWC*  
**RE:** DOCKET NO. 960254-TI

*98-0122-PCO-TI*

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**FILE NAME:** PREPAIDOR.NRD

Attached is an order to be issued as soon as possible.

DWC  
Attachment

cc: Wanda Terrell

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Adoption of  
Rules 25-24.900, 25-24.905, 25-  
24.910, 25-24.920, 25-24.925,  
25-24.930, 25-24.935, 25-24.940,  
F.A.C., et seq., relating to  
prepaid calling services.

DOCKET NO. 960254-TI  
ORDER NO. PSC-98-0122-PCO-TI  
ISSUED: January 22, 1998

ORDER ESTABLISHING PROCEDURES TO BE FOLLOWED  
AT RULEMAKING HEARING

Pursuant to Notice, a Prehearing Conference was held on  
Wednesday, January 14, 1998, in Tallahassee, Florida before  
Commissioner Joe Garcia, as Prehearing Officer.

APPEARANCES:

MARSHA E. RULE, 101 North Monroe Street, Suite 700,  
Tallahassee, Florida 32301  
On behalf of AT&T Communications of the Southern States, Inc.

MONICA M. BARONE, 3100 Cumberland Circle, Atlanta, Georgia,  
30339  
On behalf of Sprint Communications Company Limited Partnership

E. GARY EARLY, Akerman, Senterfitt & Eidson, PA, 216 South  
Monroe Street, Suite 200, Post Office Box 10555, Tallahassee,  
Florida, 32302-2555  
On behalf of BellSouth Mobility, Inc.

TOM BOND, 780 Johnson Ferry Road, Atlanta, Georgia  
On behalf of MCI Telecommunications

KENNETH A. HOFFMAN, Rutledge, Encenia, Underwood, Purnell &  
Hoffman, 215 South Monroe Street, Suite 420, Tallahassee,  
Florida 32301  
On behalf of Global Link Telecom

DIANA W. CALDWELL, Esquire, Florida Public Service Commission,  
2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0862  
On behalf of the Florida Public Service Commission staff

DOCUMENT NUMBER-DATE

01208 JAN 22 8

FPSC-RECORDS/REPORTING

I. Background

The Florida Public Service Commission has proposed Part XVI of Chapter 25-24, Florida Administrative Code, Rules Governing Prepaid Calling Services. The Commission voted to propose the new rules on June 10, 1997. Order PSC-97-0728-NOR-TI provided for a hearing to be held August 18, 1997. AT&T requested a hearing July 17, 1997. Comments were also filed by various interested persons. By Order No. PSC-97-0912-PCO-TI the hearing date was rescheduled to January 30, 1998, for a full Commission hearing. Notice of the rescheduled hearing was published in the July 30, 1997, Florida Administrative Weekly.

A rulemaking hearing is scheduled at the following time and place:

9:30 A.M., Friday, January 30, 1998  
Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

The rulemaking hearing shall be governed by section 120.54, Florida Statutes, and by Chapter 25-22, Florida Administrative Code.

II. Hearing Procedures

1. The Commission staff will present a summary of the statement of estimated regulatory cost and the rules.

2. The first exhibit introduced into the record will be a composite exhibit prepared by staff, which will consist of the following documents:

FAW notice and proposed rules;  
Materials provided to the Joint Administrative Procedures Committee in connection with the proposed rules, including:

statement of facts and circumstances justifying rules,  
statement on federal standards  
statement of impact on small business,  
statement of estimated regulatory costs  
Notice of rulemaking; and

Any material, including prefiled comments and attachments filed by interested persons that may be submitted pursuant to Section 120.54(3)(a)1., Florida Statutes. It will not be necessary for participants to insert their prefiled comments into the record at the hearing.

Due to the length of the exhibit, copies will not be distributed at the hearing. However, there will be several copies available for inspection.

3. Following the staff presentation, affected persons will have the opportunity to present evidence and argument. It may be necessary to impose time limits for presentations, depending upon the number of participants. If time permits, persons making presentations will be subject to questioning by other parties. Such questions shall be limited only to those necessary to clarify and understand the presenter's position.

4. The order of presentation will be determined by the prehearing officer and a list will be distributed on the morning of the hearing.

V. Posthearing Procedures

1. A transcript of the proceedings will be made available to the public on or about February 13, 1998 - at the cost of \$.10 per page.

2. Participants may file posthearing comments no later than March 6, 1998. An original and 15 copies of all posthearing comments shall be prefiled with the Director, Division of Records and Reporting by the close of business, which is 5:00 p.m., on the date due.

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Based on the foregoing, it is

ORDERED that this Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

By ORDER of Commissioner Joe Garcia, as Prehearing Officer, this 22nd day of January, 1998.

  
JOE GARCIA, as Commissioner and  
Prehearing Officer

( S E A L )

DWC

**NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW**

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, 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 wastewater utility. A motion for

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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.