

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Robert A. Butterworth, Attorney General, and the Citizens of the State of Florida, by and through Jack Shreve, Public Counsel, against LCI International for slamming David Howe in violation of Rule 25-4.118, F.A.C.

Docket No. 971403-TI

In re: Initiation of show cause proceedings against LCI International Telecom Corp. for violation of Rule 25-4.118, F.A.C., Interexchange Carrier Selection

Docket No. 971487-TI

Filed: May 13, 1998

LCI'S MOTION FOR ORAL ARGUMENT

LCI International Telecom Corp ("LCI"), through its undersigned counsel, pursuant to Rule 25-22.058, Florida Administrative Code, hereby requests oral argument on its Motion for More Definite Statement, which is being filed this date, and states:

1. On April 23, 1998, the Commission issued Order No. PSC-98-0566-SC-

ACK TI, in which it directed LCI to show cause in writing within 20 days why it should not

AFA be fined or its certificate revoked for willful violations of Commission rules.

APP

CAF 2. On May 13, 1998, LCI filed a Partial Response to said Order and a Motion

CMU for More Definite Statement.

CTR

EAG 3. In its Motion for More Definite Statement, LCI submits that the Order to

LES

ELI Show Cause is insufficient to apprise LCI of all of the allegations against it, in that the

GRD Order refers to and bases a proposed fine on 71 complaints, but describes only six

POA

SE specific instances of alleged violations.

WAS

OTH

DOCUMENT NUMBER-DATE

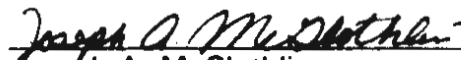
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4. In its motion, LCI argues, inter alia, that it is incumbent on the Commission to set forth within the Order all of the allegations on which the Commission bases the contention that LCI should be exposed to a fine of \$710,000. LCI asserts that to require LCI to respond to matters not set forth in the Order would, among other things, fail to give LCI the notice and opportunity to defend required by law, and would effectively alter the burden placed on an agency in a proceeding conducted for the purpose of imposing penalties.

5. LCI respectfully submits that oral argument on the motion would be beneficial to the Commission, in that it would allow a complete elucidation of LCI's position with respect to matters that go to the fundamental roles and respective obligations of the Commission and LCI in this case.

WHEREFORE, LCI requests the Commission to allow LCI to orally argue its Motion for More Definite Statement.

  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Hand Delivery this 13th day of May, 1998:

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