

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Docket No. 130000-OT)
)
Staff's 2013 Lifeline Data Request)
)

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COMMISSION
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SUBPOENA DUCES TECUM
WITHOUT DEPOSITION

THE STATE OF FLORIDA

TO: Greg Follensbee, BellSouth Telecommunications, LLC d/b/a AT&T Florida d/b/a AT&T Southeast, 150 South Monroe Street, Suite 400, Tallahassee, FL 32301; Fax: (850) 577-5537; E-mail: Greg.Follensbee@att.com

YOU ARE COMMANDED to appear at 2540 Shumard Oak Boulevard, Tallahassee, FL 32399, on August 26, 2013, at 5:00 p.m., or at such other time and place as may be mutually agreed upon by counsel, and to have with you at that time and place the following:


The number of access lines with Lifeline resold to other carriers each month. Identify each carrier separately by name or certificate number in relation to the data for the fiscal year July 1, 2012, through June 30, 2013.

These items will be inspected and may be copied at that time. You will not be required to surrender the original items. You may comply with this subpoena by providing legible copies of the items to be produced to the attorney whose name appears on this subpoena on or before the scheduled date of production. You may mail or deliver the copies to the attorney whose name appears on this subpoena and thereby eliminate your appearance at the time and place specified above. You have the right to object to the production pursuant to this subpoena at any time before production by giving written notice to the attorney whose name appears on this subpoena. THIS WILL NOT BE A DEPOSITION. NO TESTIMONY WILL BE TAKEN.

YOU ARE SUBPOENAED to appear by the following attorney to (1) appear as specified, or (2) furnish records instead of appearing as provided above, and, unless excused from this subpoena by the attorney or the Commission, you shall respond to this subpoena as directed.

DATED: August 26, 2013

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Contact the Office of Commission Clerk within two working days of your receipt of this subpoena at the address above, telephone no. 850-413-6770, or via 1-800-955-8770 (voice) or 1-800-955-8771 (TDD), Florida Relay Service.



Hong Wang, Chief Deputy Comm. Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Boulevard
Tallahassee, Florida 32399-0850
www.floridapsc.com

This subpoena has been issued at the request of Adam Teitzman

Attorney for: Florida Public Service Commission
Office of the General Counsel
Address: 2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
Tel: 850-413-6175
Florida Bar No. 630674

Section 120.569 (2) (k), Florida Statutes

(k)1. Any person subject to a subpoena may, before compliance and on timely petition, request the presiding officer having jurisdiction of the dispute to invalidate the subpoena on the ground that it was not lawfully issued, is unreasonably broad in scope, or requires the production of irrelevant material.

2. A party may seek enforcement of a subpoena, order directing discovery, or order imposing sanctions issued under the authority of this chapter by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena or order resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, no person shall be in contempt while a subpoena is being challenged under subparagraph 1. The court may award to the prevailing party all or part of the costs and attorney's fees incurred in obtaining the court order whenever the court determines that such an award should be granted under the Florida Rules of Civil Procedure.

3. Any public employee subpoenaed to appear at an agency proceeding shall be entitled to per diem and travel expenses at the same rate as that provided for state employees under s. 112.061 if travel away from such public employee's headquarters is required. All other witnesses appearing pursuant to a subpoena shall be paid such fees and mileage for their attendance as is provided in civil actions in circuit courts of this state. In the case of a public employee, such expenses shall be processed and paid in the manner provided for agency employee travel expense reimbursement, and in the case of a witness who is not a public employee, payment of such fees and expenses shall accompany the subpoena.

Rule 28-106.212, Florida Administrative Code

(1) Upon the request of any party, a presiding officer shall issue subpoenas for the attendance of witnesses for deposition or at the hearing. The requesting party shall specify whether the witness is also requested to bring documents.

(2) A subpoena may be served by any person specified by law to serve process or by any person who is not a party and who is 18 years of age or older. Service shall be made by delivering a copy to the person named in the subpoena. Proof of service shall be made by affidavit of the person making service if not served by a person specified by law to serve process.

(3) Any motion to quash or limit the subpoena shall be filed with the presiding officer and shall state the grounds relied upon.

*Rulemaking Authority 14.202, 120.54(5)
FS. Law Implemented 120.54(5) FS
History—New 4-1-97*

**RECEIVED THIS SUBPOENA DUCES TECUM
WITHOUT DEPOSITION ON:**

_____, 20____, at _____
o'clock, ____m. , and served the same on _____,
20____, at _____ o'clock, ____m. by delivering a
true copy thereof (together with the fee for one day's
attendance and the mileage allowed by law*) to:

**COMPLETE IF SERVED BY SHERIFF OR
APPOINTEE**

_____, 20____, at _____
o'clock, ____m.

By: _____

Title: _____

AFFIDAVIT IF SERVED BY OTHER PERSON

_____, 20____
By: _____

Sworn and subscribed to before me,
This ____ day of _____, 20____, in
_____ County, Florida.

Type of identification: _____

Or (check if) _____ personally known.

(notary public)

SEAL

NOTE: Notarized Affidavit required only if service is made by a person other than a Sheriff, a Deputy Sheriff, or a certified process server. Chapter 48, Florida Statutes.

*Fees and milage need not be tendered to public employees subject to Section 12.061, Florida Statutes.