

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: 1991 Depreciation Study) DOCKET NO. 910725-TL  
for UNITED TELEPHONE COMPANY ) ORDER NO. PSC-92-0065-PCO-TL  
OF FLORIDA. ) ISSUED: 3/16/92  
\_\_\_\_\_)

ORDER UPON RECONSIDERATION OF ORDER NO. 25800

On February 25, 1992, I issued Order No. 25800 regarding Prehearing Procedure in this docket. On March 3, 1992 the Office of Public Counsel (OPC) filed a Motion for Reconsideration of the Prehearing Procedure Order (Motion). Attorneys for United Telephone Company of Florida (United) and The Florida Cable Television Association, Inc. (FCTA) have indicated that they do not intend to respond to the Motion.

In its Motion, OPC requests that the Prehearing Officer not set a completion date of April 6, 1992 for all discovery. Instead, OPC advocates that we should allow all discovery which is "reasonable under the facts and circumstances" rather than a hard date. OPC takes this position because there may be some need to conduct discovery after April 6, 1992, on some of the testimony filed in late March or early April. Upon review, I find this request to be reasonable. However, barring unusual circumstances, I will limit post April 6, 1992, discovery to the scope of rebuttal.

OPC also requests that the Prehearing Officer delete from the Order a provision which limits the number of interrogatories and requests for production of documents. OPC again argues for a reasonableness standard for the number of such requests. Upon review, I find the request to be reasonable and delete the provision limiting discovery and apply a reasonableness standard should a discovery dispute arise.

Finally, OPC asks the Prehearing Officer to delete the provision requiring sequential numbering of discovery from one set to the next. OPC served discovery which does not comport with this requirement prior to the issuance of the Order No. 25800. OPC notes that there should be no confusion because each set of its discovery is separately numbered. Upon review, I find the request to be reasonable, under the circumstances, and delete the requirement that sets of interrogatories and requests for production of documents be numbered sequentially from any previous sets. However, I would urge OPC to employ sequential numbering in future cases as I find sequentially numbered questions and responses are easier to track.

Therefore, based upon the foregoing, it is

DOCUMENT NUMBER-DATE

02583 MAR 16 1992

FPSC-RECORDS/REPORTING

ORDER NO. PSC-92-0065-PCO-TL  
DOCKET NO. 910725-TL  
PAGE 2

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that reconsideration of Order No. 25800 is hereby granted. It is further

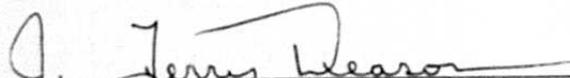
ORDERED that the discovery completion date of April 6, 1992, set forth in Order No. 25800, does not apply to discovery for the purpose of rebuttal of testimony filed late in this case. A reasonableness standard shall be used to resolve disputes regarding such discovery. It is further

ORDERED that the limit on the number of interrogatories and requests for production of documents in this case, which was set forth in Order No. 25800, shall not apply. Rather, any limit on discovery shall be based upon a reasonableness standard. It is further

ORDERED that the requirement of sequential numbering of discovery from one set to another, which was set forth in Order No. 25800, shall not apply to this case. It is further

ORDERED that all other provisions of Order No. 25800 shall remain in effect.

By ORDER of J. Terry Deason, Commissioner and Prehearing Officer, this 16th day of MARCH, 1992.

  
\_\_\_\_\_  
J. TERRY DEASON, Commissioner  
and Prehearing Officer

( S E A L )

CWM