

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of GTE FLORIDA) DOCKET NO. 920284-TL  
INCORPORATED to implement its ) ORDER NO. PSC-92-0733-PC0-TL  
triennial depreciation repre- ) ISSUED: 07/28/92  
scription )  
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ORDER DENYING MOTION TO AMEND DATES FOR FILING TESTIMONY

BY THE COMMISSION:

On July 22, 1992, the Office of Public Counsel (Public Counsel) file a motion seeking to delay the date for filing its testimony in this proceeding. The current Case Assignment and Scheduling Record contains the following schedule for the prefiled testimony:

Direct Testimony from all parties - August 12, 1992  
Rebuttal Testimony from all parties - September 1, 1992  
Staff Testimony - September 1, 1992  
Rebuttal to Staff - September 14, 1992

Public Counsel asks that it be allowed to file its direct testimony two weeks after GTE Florida, Inc. (GTEFL) files its testimony. In support of its motion, Public Counsel argues that the current schedule requires it to file testimony before it has notice of what evidence GTEFL will sponsor at the hearing and that it "cannot respond to the direct case of GTEFL because the Citizens cannot anticipate what GTE's evidence might show."

GTEFL's petition and depreciation study seeking approval of the depreciation represcription proposed in the study were filed on March 30, 1992. Public Counsel has had ample notice of the scope and nature of the Company's case. Further, Public Counsel's concern over responding to the Company's direct case is substantively directed to an opportunity to rebut the Company's direct case. Such opportunity is adequately provided in the current testimony filing schedule. Accordingly, I find it appropriate to deny Public Counsel's Motion to Amend Dates for Filing Testimony.

Based the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that the Office of Public Counsel's Motion to Amend Dates for Filing Testimony is denied as set forth in the body of this Order.

DOCUMENT NUMBER-DATE

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By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 28th day of July, 1992.

  
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J. TERRY DEASON, Commissioner  
and Prehearing Officer

( S E A L )

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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 this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), 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 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.