

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive Review of) DOCKET NO. 920260-TL
the Revenue Requirements and)
Rate Stabilization Plan of) ORDER NO. PSC-92-1078-PCO-TL
Southern Bell Telephone and)
Telegraph Company.) ISSUED: 09/30/92

ORDER DENYING MOTION TO RESCHEDULE SERVICE HEARINGS

This docket was initiated pursuant to Order No. 25552 in Docket No. 911109-TL, to conduct a full revenue requirements analysis and to evaluate the Rate Stabilization Plan under which BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) has been operating since 1988. Order No. 25552 required that the Company file Minimum Filing Requirements (MFRs) on May 1, 1992. This was done; however, the Company notified the Commission in its Test Year Request letter of March 25, 1992, that it would not be submitting its testimony or proposals at the time of the MFR filing. The Chairman approved a revised case schedule that required Southern Bell to submit its testimony and updated MFRs by July 15, 1992. The evidentiary hearing, which was scheduled to begin in October, 1992, was postponed until January, 1993. Other key events were also rescheduled, including one service hearing from early July. Currently, six service hearings are scheduled to take place in various cities throughout Southern Bell's territory during August and September, 1992.

On July 10, 1992, the Florida Consumer Action Network (FCAN) filed its Petition for Leave to Intervene in this docket. By Order No. PSC-92-0664-PCO-TL, issued July 15, 1992, we granted FCAN's Petition.

On July 10, 1992, FCAN filed a Motion to Reschedule Service Hearings (Motion). FCAN's Motion requests that we move the service hearings in this docket to November or December, 1992. In support of its Motion, FCAN states that:

1. Beginning service hearings only two weeks after Southern Bell has filed its testimony and MFRs does not allow affected customers an adequate opportunity to offer relevant comments to the Commission;
2. The current schedule for service hearings effectively precludes seasonal residents from offering comments; and
3. Rescheduling the service hearings to November and December would allow the issues to develop more fully, since intervenor testimony is due to be filed in November.

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On July 15, 1992, the Office of Public Counsel (OPC) filed its Response to FCAN's Motion. OPC agrees with FCAN that the service hearings should be rescheduled. Additionally, OPC suggests that because it is too late to reschedule the August 3, 1992, and August 6, 1992, service hearings for Jacksonville and Panama City, that supplemental hearings for these areas should be set in November or December. OPC further suggests that service hearings not yet noticed should be rescheduled for November or December. Finally, OPC recommends that we require Southern Bell to send bill stuffers to its customers providing notice of the rescheduled hearings and of the issues involved in the case.

FCAN appropriately recognizes that the current schedule for service hearings is not ideal. However, it is not possible to reschedule the service hearings before the evidentiary hearing takes place in January. The Commission presently has fifty-five cases set for hearing, thirty-eight of which are scheduled to be heard prior to Southern Bell's. These cases all have prehearing conferences and service hearings scheduled. In addition, regular and special agenda conferences, which are set months in advance, will continue to occur throughout the year. Given the Commission's current calendar, the earliest possible alternative service hearing dates would be in May, 1993.

To provide customers with notification prior to the two service hearings scheduled for August 3, 1992, and August 6, 1992, Southern Bell has issued separate mailings to individual customers in the Jacksonville and Panama City areas.

In addition, although winter residents may not be present in Florida during the service hearings, all customers are encouraged to offer written comments at any time during the proceedings. All such correspondence will be entered into the record and considered in our deliberations.

Finally, some of the most important information that the Commission obtains from customers at the service hearings is customer testimony relative to the quality of service provided by the Company. This information exists independently of the specifics of the Company's filing and should be readily available, even without detailed knowledge of the particulars of the Company's current petition.

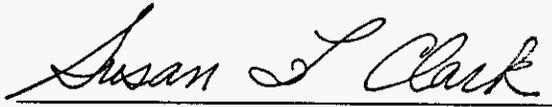
Based on the foregoing, it is,

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the Motion to Reschedule Service Hearings filed on July 10,

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1992, by the Florida Consumer Action Network is hereby denied for the reasons set forth herein.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 30th day of September, 1992.


SUSAN F. CLARK, 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.