

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against GTE Communications Corporation (n/k/a Verizon Select Services Inc.) For apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection.

DOCKET NO. 990362-TI  
ORDER NO. PSC-01-1491-PCO-TI  
ISSUED: July 18, 2001

ORDER GRANTING VERIZON'S SECOND REQUEST  
FOR CONTINUANCE OF HEARING AND THIRD ORDER MODIFYING ORDER  
ESTABLISHING PROCEDURE

The Commission opened this docket to address numerous complaints against Verizon Select Services, Inc. f/k/a GTE Communications Corporation (Verizon) for unauthorized carrier changes in violation of Rule 25-4.118, Florida Administrative Code. Verizon offered a settlement agreement to resolve the matter, which this Commission approved by Proposed Agency Action (PAA) Order No. PSC-00-1348-PAA-TI, issued July 26, 2000. The Office of Public Counsel (OPC) protested the PAA order on August 16, 2000, and by Order No. PSC-01-0739-PCO-TI (Order Modifying Order Establishing Procedure), issued March 23, 2001, an evidentiary hearing was set for June 1, 2001. On May 29, 2001, Verizon filed an Emergency Request for Continuance of Hearing, citing a death in the family of its principal witness. Verizon's request was not opposed by OPC, and was granted by Order No. PSC-01-1237-PCO-TI, issued June 1, 2001. The hearing was rescheduled for August 3, 2001.

On July 5, 2001, Verizon filed another Request for Continuance of Hearing on the grounds that another one of its witnesses will be unable to attend the hearing on August 3. Verizon states that its witness has retired from the company and plans to be out of the country at that time. Verizon represents that OPC does not oppose this latest request for a continuance.

It appears that the first continuance in this case, which was filed and granted on an emergency basis and on very short notice, has led unavoidably to the present scheduling conflict for Verizon's witness. For that reason, I grant this request for

DOCUMENT NUMBER-DATE

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ORDER NO. PSC-01-1491-PCO-TI  
DOCKET NO. 990362-TI  
PAGE 2

continuance, but I do not intend to grant another continuance, barring very extraordinary circumstances. The hearing has been continued to October 31, 2001. Post hearing briefs shall be due November 21, 2001.

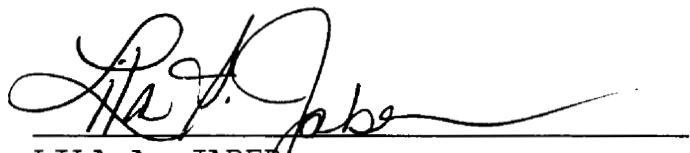
It is, therefore

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that Verizon Select Services, Inc.'s second Request for Continuance of Hearing is hereby granted. It is further

ORDERED that the new date for an evidentiary hearing in this Docket is October 31, 2001, and the post hearing briefs are due on November 21, 2001. It is further

ORDERED that the Order Establishing Procedure in this case, Order No. PSC-00-1835-PCO-TI, issued October 6, 2000, is affirmed in all other respects.

By ORDER of Commissioner Lila A. Jaber, as Prehearing Officer, this 18th Day of July, 2001.



LILA A. JABER  
Commissioner and Prehearing Officer

( S E A L )

MCB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, 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.