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August 21, 1998

\* UT BAR ONLY
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VIA OVERNIGHT DELIVERY

Ms. Blanca Bayó, Director
Records Division
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Initiation of show cause proceedings against All American Telephone, Inc. for violation
of Rule 25-4.118, F.A. C., Interexchange Carrier Section
Docket No. 971493-TI

Dear Ms. Bayó:

Enclosed please find an original and 15 copies of "Second Motion for Further Extension of Time
to Respond to Order to Show Cause." Please file them in the above docket number.

Also, please date stamp and send the enclosed "Return" copy to us in the enclosed self-addressed
envelope.

- ACK
AFA
APP
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And finally, enclosed is a copy in an envelope to Martha C. Brown, Legal Service Division. Please
forward it to her. Thank you.

RECEIVED & FILED
FPSC-BUREAU OF RECORDS

Respectfully submitted,

Mitchell F. Brecher

Enclosures
83043-10932

DOCUMENT NUMBER - DATE

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FPSC-RECORDS/REPORTING

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause )  
 proceedings against All American )  
 Telephone, Inc. for violation of )  
 Rule 25-4.118, F.A.C., )  
 Interexchange Carrier Selection )

Docket No. 971493-TI

**SECOND MOTION FOR FURTHER EXTENSION OF TIME TO  
 RESPOND TO ORDER TO SHOW CAUSE**

All American Telephone, Inc. (All American), by its attorneys, hereby moves the Commission to further extend the date for submission of its response to the order to show cause issued by the Commission in the above-captioned docketed proceeding. In support of this motion, All American states as follows:

By order issued February 10, 1998,<sup>1</sup> the Commission directed All American to show cause in writing within twenty days of the order's effective date as to why it should not be subject to sanctions for violation of Rule 25-4.118, Florida Administrative Code.<sup>2</sup> The deadline for responding to the order to show cause was to have been March 2, 1998.

Counsel for All American and the Commission Staff have been engaged in discussions in an attempt to resolve the issues set forth in the order to show cause without proceeding to hearing. On February 26, 1998, All American, by its undersigned counsel, filed with the Commission a motion requesting a fifteen day extension of time to respond to the order to show cause until March 17, 1998. Staff counsel was consulted in advance of the filing of that motion for extension of time, and indicated that Staff would not oppose that request.

<sup>1</sup>Order to Show Cause, Order No. PSC-98-0268-FOF-TI.

<sup>2</sup>*Id.* at 5.

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 TELEPHONE REPORTING

Following a series of settlement discussions between All American and Staff, on March 9, 1998, All American submitted to Staff a formal proposal for settlement of this proceeding. Following additional discussions between All American and Staff, All American submitted a revised settlement proposal on June 19, 1998. On August 11, 1998, the Commission issued Order No. PSC-98-1086-FOF-TI captioned Notice of Proposed Agency Action, Order Rejecting Settlement Offer and Order Granting Motions for Extension of Time to Respond to Order to Show Cause. In that order, the Commission rejected All American's settlement proposal and directed All American to respond to the order to show cause within twenty days of issuance of that order (i.e., by August 31, 1998).

Following the Commission's agenda conference of July 21, 1998 at which the Commission voted against acceptance of All American's settlement offer, All American and Staff again met to discuss proposals for settlement of this matter. By letter dated July 24, 1998, All American submitted yet another revised settlement proposal. That revised proposal remains under consideration by the Commission Staff. So far as All American is aware, Staff has made no determination regarding its latest proposal and no recommendation has been submitted to the Commission.

In order to permit the ongoing settlement negotiations to continue without prejudicing the interests either of All American or Staff, and in order to avoid the need for the parties to submit further requests for extension of time pending Staff and Commission consideration of All American's latest settlement proposal, All American hereby respectfully moves the Commission for further extension of time to respond to the Order to Show Cause in this proceeding until

twenty days following a Commission determination whether or not to approve All American's most recent settlement proposal.

Respectfully submitted,

ALL AMERICAN TELEPHONE, INC.



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Mitchell F. Brecher  
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1400 Sixteenth Street, NW  
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*Its Counsel*

August 21, 1998

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CERTIFICATE OF SERVICE

I, Marjorie P. Burack, a secretary at the law firm of Fleischman and Walsh, L.L.P., hereby certify that a copy of the foregoing All American Telephone, Inc.'s "*Second Motion for Further Extension of Time to Respond to Order to Show Cause*" in Docket No. 971493-TI, was served this 21st day of August, 1998, *via overnight delivery* on:

Martha C. Brown, Esq.  
Legal Division  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

*Marjorie P. Burack*  
Marjorie P. Burack