

Mark Richard
Attorney At Law

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August 11, 1994

Director, Division of Records and Reporting
Florida Public Service Commission
101 East. Gaines Street
Tallahassee, FL 32301

RE: Docket No. 920260 - TL

Dear Sir or Madam:

Enclosed please find an original and fifteen (15) copies of Communication Workers of America, Locals 3121, 3122 and 3107, Pre-Hearing Statement, Notice of Deposition and ^{*}Request for Production with respect to the above reference action. Please file same.

Sincerely,

Mark Richard

Mark Richard *MR*

MR:bes
Enclosure

** Forwarded to
LEG, CMU, AFA, RRR*

RECEIVED & FILED

JD
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Richard Legal Plans, Inc.
304 Palermo Avenue, Tallahassee, Florida 32301
(305) 442-8772
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not/Deposition
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive Review of)
the Revenue Requirements and Rate)
Stabilization Plan of Southern Bell)
Telephone and Telegraph Company.)

Docket No. 920260-TL

CWA'S PRE-HEARING STATEMENT

COMES NOW, the Petitioners, Locals 3121, 3122 and 3107
Communication Workers of America, AFL-CIO ("CWA"), by and through
their undersigned counsel, and files this Pre-Hearing Statement and
states:

(a) WITNESSES:

1. Robert Krukles, President of CWA Local 3121.
CWA Proposal; Review of Proposed Agency Action.
2. Willie Knowles, President of CWA Local 3122.
CWA Proposal; Review of Proposed Agency Action.
3. Tony Dorado, President of CWA Local 3107.
CWA Proposal; Review of Proposed Agency Action.
4. Jack Shreve, Public Counsel.
Background of Settlement.
5. Harris Anthony, Southern Bell attorney, Background
of settlement.
6. Joseph Lacher, President of Southern Bell.
Rate Issues; Settlement.

ACK _____
 AFA Johed
 APP _____
 CAF _____
 CMUS smu/Newton
 CTR _____
 EAG _____
 LEG Natch
 LIN 6
 CPC _____
 RCH Vinson
 SEC 1
 WWS _____
 DTH _____

(b) EXHIBITS:

Robert Krukles will sponsor all exhibits. Composite exhibits may be used.

1. Order No. 25552
2. Order No. 94-0172-FOF-TL approving Stipulation and Agreement.
3. Public Service Commission and Office of Public Counsel Stipulation and Agreement.
4. Implementation Agreement for Portions of the Unspecified Rate Reduction.
5. Documents produced in discovery in this proceeding.
6. Robert Krukles Direct Testimony.

DOCUMENT NUMBER-DATE

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7. All pleadings filed by Communication Workers of America.
8. Any other pleadings filed in Docket No. 920260-TL.

(c) STATEMENT OF POSITION IN THE PROCEEDINGS:

- *1. The CWA locals believe a hearing should have been held by the PSC prior to any recommended action.
- *2. In any event, CWA does not believe the proposed plan is in the best interests of the rate payors.
- *3. Finally, CWA believes its proposed plan, subject to PSC modification, should be adopted.

(d) STATEMENT OF QUESTIONS OF FACT AT ISSUE AND PARTY'S POSITION:

CWA agrees that these issues in Appendix A of Order PSC-94-0893-PCO-TL correctly states the three (3) key issues. CWA answers the issues as follows:

- (1) Issue One (1) - Yes.
- (2) Issue Two (2) - Yes.
- (3) Issue Three (3) - No.

1. Whether the Proposed Agency Action Reducing Certain Rates is in the best interests of the rate payors? No. (All listed witnesses).
2. Whether the Stipulation and Agreement Between OPC and Southern Bell should be set aside if an initial hearing is not held? Yes. (All listed witnesses).
3. Whether the Implementation Agreement for Portions of the Unspecified Rate Reductions in Stipulation and Agreement Between the Office of Public Counsel and Southern Bell should be set aside if the initial hearing is not held? Yes. (All listed witnesses).
4. Whether the Proposed Agency Action Reducing Certain Rates should be set aside if an initial hearing is not held? Yes. (All listed witnesses).
5. Whether the PSC properly held an evidentiary hearing on how to allocate the \$10 million rate refund as required by the Stipulation and Implementation Agreement? No. (R. Krukles, W. Knowles, T. Dorado).

6. Whether the CWA proposed plan is in the best interests of the rate payors? Yes. (R. Krukles, W. Knowles, T. Dorado).
7. Whether the PSC should implement either of Southern Bell's two plans? No. (All listed witnesses).
8. Whether Southern Bell's two plans are in the best interests of the rate payors? No. (All listed witnesses).

(e) QUESTIONS OF LAW:

1. Whether an evidentiary hearing had to be held by the PSC prior to issuance of a Proposed Agency Action? Yes.
2. Whether the PSC could adopt the CWA proposal? Yes.
3. Must the Settlement and Implementation Agreements be set aside if the hearing was not held? Yes.
4. Whether the Proposed Agency Action is illegal and cannot be implemented? Yes.

(f) POLICY QUESTIONS AT ISSUE, PARTY'S POSITION AND WITNESS TO ADDRESS ISSUE:

1. None.

(g) STATEMENT OF STIPULATED ISSUES:

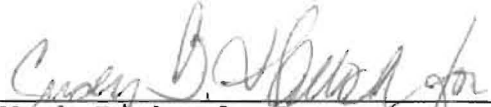
1. None.

(h) PENDING MOTIONS OR OTHER ISSUES PARTY SEEKS ACTION ON:

1. None.

(i) STATEMENT OF ORDERS PARTY CANNOT COMPLY WITH:

1. None at this time.



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Workers of America, Locals 3121,
3122, 3107
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305-443-4124