

LAW OFFICE OF DAVID M. FRANK

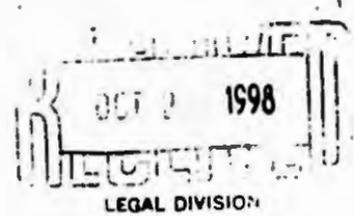
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October 27, 1998

Ms. Beth Keating
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850



Re: Fair and Reasonable Residential Basic Local Telecommunications Rates, Special Project No. 980000A-SP, and Docket No. 980733-TL (Discovery)

Dear Ms. Keating:

AARP hereby withdraws its motions to compel Sprint and GTE filed September 10, 1998.

The issue in the motions was unconscionable, and almost certainly unenforceable, language in confidentiality agreements that, in effect, would entitle the companies to automatic injunctive relief should the parties be required to file a circuit court action in a dispute. BellSouth did not attempt to force such language on AARP and GTE voluntarily struck it pursuant to negotiations. Only Sprint refused to modify the provision.

I want to make it very clear to the Commission and Sprint, that AARP has not waived its objection to the provision, even though it was forced to sign Sprint's confidentiality agreement to get critical documents in time for comments, and even though it is withdrawing its motion to compel or strike the provision. AARP is withdrawing the motion as to Sprint to conserve the Commission's time and resources by eliminating the need for a ruling on an issue involving only one company and because this proceeding is almost concluded. If this issue arises in the future, AARP fully intends to object and litigate as necessary.

I appreciate the efficiency and professionalism with which you handled this proceeding. As always, please do not hesitate to call if you have any questions.

Very truly yours,

David M. Frank
Counsel for AARP

cc: Susan Weinstock, Charlie Beck, Michael Gross, Kim Caswell (GTE), Nancy White (BellSouth), Charles Rehwinkel (Sprint)

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