

Kimberly Caswell Counsel

GTE SERVICE CORPORATION

One Tampa City Center 201 North Franklin Street (33602) Post Office Box 110, FLTC0007 Tampa, Florida 33601-0110 813-483-2606 813-204-8870 (Facsimile)

ORIGINAL

February 22, 2000

Ms. Blanca S. Bayo, Director Division of Records & Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re:

Docket No. 991376-TL

Initiation of Show Cause Proceedings against GTE Florida, Inc., for

Violation of Service Standards

Dear Ms. Bayo:

Please find enclosed for filing an original and fifteen copies of GTE Florida Incorporated's Answer Opposing the Office of Public Counsel's First Motion to Compel in the above matter. Service has been made as indicated on the Certificate of Service. If there are any questions regarding this matter, please contact me at 813-483-2617.

Sincerely,

Lucul

Kimberly Caswell

KC:tas Enclosures

RECEIVED & FILED

MAN

MAN

MECONICS

A part of GTE Corporation

DOCUMENT NUMBER - DATE

02445 FEB 228

TPS6 - FECOROS - PEPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of Show Cause)
Proceedings against GTE Florida)
Incorporated for Violation of)
Service Standards)

Docket No. 991376-TL Filed: February 22, 2000

GTE FLORIDA INCORPORATED'S ANSWER OPPOSING THE OFFICE OF PUBLIC COUNSEL'S FIRST MOTION TO COMPEL

GTE Florida Incorporated (GTE) files its Answer to the Office of Public Counsel's First Motion to Compel Against GTE, submitted on February 10, 2000. The Office of Public Counsel (OPC) asks the Commission to order GTE to produce documents that are outside the time period addressed in this docket. As such, the Commission should deny the Motion.

As OPC notes, GTE filed its responses and objections to OPC's third set of document requests on February 8, 2000. GTE produced relevant documents concerning 1998 and 1999, but objected to producing documents relating to 1996, 1997, and 2000, as OPC had requested. GTE's objection is valid.

The Order setting this docket for hearing establishes the temporal parameters of this show cause investigation as January 1998 through September 1999. (Order No. PSC-99-2501-PCO-TL, Dec. 21, 1999 (Order).) This is the same time period the Staff discussed in their recommendation to accept GTE's settlement offer, and the same time period addressed in the Commission's November 30 vote to take this matter to hearing. It is also the same time period Commission Staff used in proposing the issues for resolution in this case.

DOCUMENT NUMBER-DATE

02445 FEB 228

FPSC-RECORDS/REPORTING

GTE is not "blocking this investigation," as OPC contends. The Commission, not GTE, established 1998-1999 as the relevant period of inquiry in this case. While OPC may disagree with the Commission's view of the appropriate scope of this proceeding, it is that view--not OPC's—that determines the extent of GTE's discovery obligations. As the Order makes plain, this case concerns only GTE's potential service violations in 1998 and 1999—not years before or after that period. As such, GTE is well within its rights not to produce material from 1996, 1997, and 2000.

For these reasons, GTE asks the Commission to deny OPC's Motion to Compel.

Respectfully submitted on February 22, 2000.

By:

Kimberly Caswell

Post Office Box 110, FLTC0007

Tampa, Florida 33601

Telephone: 813-483-2617

Attorney for GTE Florida Incorporated

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of GTE Florida Incorporated's Answer to the Office of Public Counsel's First Motion to Compel in Docket No. 991376-TL were sent via overnight delivery on February 21, 2000 to:

Donna Clemons, Staff Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Charles J. Beck, Deputy Public Counsel Office of Public Counsel 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400

Kimberly Caswell