

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: The primary jurisdiction) DOCKET NO. 880815-TL
 referral from the Circuit Court for the)
 Sixth Judicial Circuit, Pinellas County,) ORDER NO. 22986
 Florida, in Circuit Court No. 87-14199-7)
 _____) ISSUED: 5-25-90

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman
 BETTY EASLEY
 GERALD L. GUNTER

ORDER CLOSING DOCKET

BY THE COMMISSION:

On June 2, 1988, the Honorable Howard P. Rives, Circuit Judge in Pinellas County, Florida, ordered that Count XII of the First Amended Complaint of Home Shopping Network, Inc. (HSN), in the case of Home Shopping Network, Inc. v. GTE Corporation, General Telephone Company of Florida and GTE Communications Corporation, Civil Case No. 87-14199-7, be referred to the Commission for findings. The Commission held hearings on March 23 and 24, 1989, and by Order No. 21280 made its findings on the Circuit Court's referral. Generally, the Commission found that GTEFL provided adequate network services to HSN in view of HSN's circumstances.

On June 26, 1989, HSN filed a notice of appeal of Order No. 21280 in the Supreme Court. Thereafter, HSN reached a settlement with GTEFL regarding the jury verdict rendered against HSN in the Circuit Court action. As part of the settlement agreement, HSN filed a motion to dismiss its appeal of Order No. 21280. On December 6, 1989, the Florida Supreme Court granted HSN's motion to dismiss the appeal.

Since HSN's motion to dismiss its appeal of Order No. 21280 was granted by the Supreme Court, nothing remains to be done in this docket. Therefore, this docket shall be closed.

Based on the foregoing, it is

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ORDERED by the Florida Public Service Commission that this docket be closed as set forth in the body of this Order.

By ORDER of the Florida Public Service Commission,
this 25th day of May, 1990.



STEVE TRIBBLE, Director
Division of Records and Reporting

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