

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a rate) DOCKET NO. 920188-TL
increase by GTE FLORIDA)
INCORPORATED.)

In Re: Resolution by the City) DOCKET NO. 920939-TL
Commission of the City of Plant) ORDER NO. PSC-93-0448-FOF-TL
City and the Hillsborough County) ISSUED: 03/24/93
Board of County Commissioners)
for extended area service)
between the Plant City exchange)
and all of Hillsborough County.)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD
SUSAN F. CLARK

ORDER DENYING REQUEST FOR ORAL ARGUMENT

BY THE COMMISSION:

On February 4, 1993, GTE Florida, Incorporated (GTEFL or the Company) filed a Request for Oral Argument on Reconsideration of Order No. PSC-93-0108-FOF-TL (Request). The Order at issue is the final order in the GTE Rate Case and Plant City Request for EAS. On February 11, 1993, the Office of Public Counsel (OPC) filed a Response to GTEFL's Request for Oral Argument (Response). This Order addresses only the Request and Response; a decision regarding the merits of reconsideration will be forthcoming.

The Company has requested Oral Argument on the Commission's decisions regarding the following issues: the deferral of SFAS 106 costs into 1994; affiliate transaction issues relating to GTE Data Services, GTE Supply, and GTE Communications Corporation; return on equity; equity ratio; and the Busy Hour Minutes of Capacity Charge (BHMOC).

GTEFL's Request was filed in compliance with Rule 25-22.058, Florida Administrative Code. As noted by the Company, oral argument is not guaranteed to a party under the aforementioned Rule; rather, it is granted at the discretion of the Commission if the requesting party can substantiate that oral argument will aid the Commission in arriving at its decision. GTEFL asserts in fact that "...oral argument will aid the Commission in comprehending and evaluating its decision regarding the above issues." Of the issues for which GTEFL requests oral argument, the Company chose two (the

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deferral of SFAS 106 costs and affiliate matters) to discuss in its Request.

OPC's Response addresses only the Company's Request as it relates to SFAS 106. It is OPC's view that oral argument on that issue is unnecessary, but it does not oppose the Commission hearing GTEFL's arguments if the Commission finds such an exercise to be useful.

We have reviewed the Company's Request and its Motion for Reconsideration and find that oral argument would not aid our understanding or evaluation of the issues. In addition to the extensive record amassed in the rate case, we find that GTEFL's Motion for Reconsideration (some 55 pages in length, plus attachments) adequately presents the key matters disputed by the Company and the basis for such disputes. Accordingly, GTEFL's Request for Oral Argument shall be denied.

Based upon the foregoing, it is

ORDERED by the Florida Public Service Commission that GTE Florida Incorporated's February 4, 1993, Request for Oral Argument on issues identified in its Motion for Reconsideration of the Final Order in Docket Nos. 920188-TL and 920939-TL is hereby denied. It is further

ORDERED that the two dockets shall remain open.

By ORDER of the Florida Public Service Commission this 24th day of March, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.