

MEMORANDUM

JUNE 28, 1994

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2:06 pm.  
FPSC-RECORDS/REPORTING

TO: DIVISION OF RECORDS AND REPORTING  
FROM: DIVISION OF LEGAL SERVICES (CANZANO) *PC*  
RE: DOCKET NO. 921074-TP - EXPANDED INTERCONNECTION PHASE II  
AND LOCAL TRANSPORT RESTRUCTURE.

0803 - PCU

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Attached is a ORDER DENYING MOTION TO ESTABLISH ADDITIONAL ISSUES to be issued in the above-referenced docket. (Number of pages in Order - 3)

DLC/js  
Attachment  
cc: Division of Communications  
I:921074DI.DC

**MUST GO TODAY**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Expanded Interconnection ) DOCKET NO. 921074-TP  
Phase II and Local Transport ) DOCKET NO. 930955-TL  
Restructure ) DOCKET NO. 940014-TL  
\_\_\_\_\_ ) DOCKET NO. 940020-TL  
DOCKET NO. 931196-TL  
DOCKET NO. 940190-TL

ORDER NO. PSC-94-0803-PCO-TP  
ISSUED: June 29, 1994

ORDER DENYING MOTION TO  
ESTABLISH ADDITIONAL ISSUES

On April 22, 1994, Intermedia Communications of Florida, Inc. (Intermedia) filed a Motion to Establish Additional Issues for hearing in these consolidated dockets. GTE Florida Incorporated, Inc. (GTEFL) and BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell) responded in opposition to Intermedia's Motion on April 29, and May 4, 1994 respectively.

In addition, Southern Bell and GTEFL take issue with Intermedia's contention that no party will be prejudiced by adding these issues. They assert that they will be prejudiced by not having enough time to formulate testimony on these complex issues.

A preliminary list of issues has been identified in Order No. PSC-94-0277-PCO-TL, issued March 10, 1994. Specifically, Issue No. 6 deals with expanded interconnection for switched access:

6. Does Chapter 364, Florida Statutes, allow the Commission to require expanded interconnection for switched access?

Intermedia requests that the Commission consider two additional issues "closely related to and derived from Issue No. 6":

6a. Does granting expanded interconnection for switched access render high capacity transport service for dedicated and switched services effectively competitive?

DOCUMENT NUMBER-DATE  
06422 JUN 29 1994  
FPSC-RECORDS/REPORTING

ORDER NO. PSC-94-0803-PCO-TP

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6b. If the Commission does determine that high capacity transport service for dedicated and switched services are effectively competitive, what regulatory treatment of this transport service should it prescribe?


Essentially, Intermedia seeks to interject into the hearing in this docket, issues that, when ripe, belong in Docket No. 930046-TP, (In Re: Investigation into which local exchange company (LEC) services are effectively competitive in 1993). This Commission is already attempting to evaluate every service that any party to that action has identified as being potentially effectively competitive. If Intermedia believes that expanded interconnection has made access services effectively competitive, than Intermedia can raise that contention in Docket No. 930046-TP.

Upon consideration, I find that Intermedia Communications of Florida, Inc.'s Motion to Establish Additional Issues shall be denied.

Based on the foregoing, it is

ORDERED by Chairman J. Terry Deason, as Prehearing Officer, that Intermedia Communications of Florida, Inc.'s Motion to Establish Additional Issues is hereby denied for the reasons stated in the body of this Order.

By ORDER of Chairman J. Terry Deason, as Prehearing Officer, this 29th day of June, 1994.

  
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J. TERRY DEASON, Chairman and  
Prehearing Officer

( S E A L )

DLC

ORDER NO. PSC-94-0803-PCO-TP  
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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.