

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution of) DOCKET NO. 950984-TP
petition(s) to establish) ORDER NO. PSC-95-1422-PCO-TP
nondiscriminatory rates, terms,) ISSUED: November 22, 1995
and conditions for resale)
involving local exchange)
companies and alternative local)
exchange companies pursuant to)
Section 364.161, Florida)
Statutes.)
_____)

ORDER REGARDING FURTHER PROCEEDINGS

On August 30, 1995, the Order Establishing Procedure (Order) was issued in this docket in anticipation of the petitions that could be filed by eligible local exchange or alternative local exchange companies pursuant to Sections 364.161 and 364.162, Chapter 95-403, Laws of Florida. See Order No. PSC-95-1083-PCO-TP. The Order established procedural dates for petitions that were received by September 15, 1995. The Order also stated that those dates may be modified for late-filed petitions.

The Order required that the direct testimony, exhibits, and a proposed list of issues of the petitioner shall be filed with the petition. On November 13, 1995, Metropolitan Fiber Systems of Florida, Inc. (MFS) filed its petition, and on November 14, 1995, MCI Metro Access Transmission Services, Inc. (MCImetro) filed its petition in this docket.

The Chairman has set this matter for a formal administrative hearing on January 8 and 9, 1996. The Order has been modified as set forth below to accommodate the formal administrative hearing set for the resolution of both MFS and MCImetro's petitions. The requirements of the Order shall remain effective for all subsequently filed petitions unless modified by order of the Commission or Prehearing Officer.

Discovery

Unless authorized by the Prehearing Officer for good cause shown, all discovery shall be completed by January 5, 1996.

DOCUMENT NUMBER-DATE

11740 NOV 22 1995

FPSC-RECORDS/REPORTING

Controlling Dates

The following dates have been established to govern the key activities to address the issues raised by MFS and MCImetro's petitions. (Note: to distinguish between the two petitions when the dates differ, the petitioning company's name precedes the event and date).

- 1) (MFS) Petitioner's direct testimony, exhibits, proposed list of issues, and provisions that have been agreed upon and those issues that are unresolved November 13, 1995
- 2) (MCImetro) Petitioner's direct testimony, exhibits, proposed list of issues, and provisions that have been agreed upon and those issues that are unresolved November 14, 1995
- 3) (MFS) Respondent's direct testimony, exhibits, proposed list of issues, and provisions that have been agreed upon, and those issues that are unresolved November 27, 1995
- 4) (MFS) Intervenor's direct testimony November 27, 1995
- 5) (MCImetro) Respondent's direct testimony, exhibits, proposed list of issues, and provisions that have been agreed upon, and those issues that are unresolved November 28, 1995
- 6) (MCImetro) Intervenor's direct testimony November 28, 1995
- 7) Prehearing Statements December 11, 1995
- 8) Prehearing Conference December 22, 1995
- 9) Hearing January 8 - 9, 1996
- 10) Briefs January 25, 1996

Based on the foregoing, it is

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ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that Order No. PSC-95-1083-PCO-TP has been modified as discussed in the body of this order to address the petitions filed by Metropolitan Fiber Systems of Florida, Inc. and MCI Metro Access Transmission Services, Inc. It is further

ORDERED that the requirements of Order No. PSC-95-1083-PCO-TP shall remain effective for all subsequently filed petitions unless modified by order of the Commission or Prehearing Officer.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 22nd day of November, 1995.



J. TERRY DEASON, Commissioner and
Prehearing Officer

(S E A L)

DLC

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)

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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.