

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for waiver of physical collocation requirements set forth in the Telecommunications Act of 1996 and the FCC's First Report and Order, for the West Palm Beach Gardens Central Office, by BellSouth Telecommunications, Inc.

DOCKET NO. 981011-TL  
ORDER NO. PSC-98-1478-PCO-TL  
ISSUED: October 28, 1998

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition filed September 16, 1998, American Communications Services, Inc. - Jacksonville, Inc., d/b/a e.spire™ Communications, Inc. (e.spire) has requested permission to intervene in this proceeding. Having reviewed the Petition, we find that it should be granted, as e.spire has requested physical collocation at the BellSouth central office that is the subject of this proceeding. Therefore, e.spire has demonstrated that it has a substantial interest that may be affected by the outcome of this docket.

Therefore it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by American Communications Services, Inc. - Jacksonville, Inc., d/b/a e.spire™ Communications, Inc. be and the same is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Norman H. Horton, Jr., Esq.  
Messer, Caparello & Self, P.A.  
215 S. Monroe Street  
Suite 701  
Tallahassee, Florida 32301-1876

James C. Falvey, Esq.  
e.spire Communications, Inc.  
133 National Business Parkway  
Suite 200  
Annapolis Junction, Maryland 20701


DOCUMENT NUMBER-DATE

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FPSO-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 28th  
day of October, 1998.

  
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KAY FLYNN, Chief  
Bureau of Records

( S E A L )

WPC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, 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.