

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Consideration of  
BellSouth Telecommunications,  
Inc.'s entry into interLATA  
services pursuant to Section 271  
of the Federal Telecommuni-  
cations Act of 1996.

DOCKET NO. 960786-TL  
ORDER NO. PSC-01-1580-PCO-TL  
ISSUED: July 31, 2001

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition, XO Florida, Inc. (XO) has requested permission to intervene in this proceeding. XO states that it is a competitive provider in Florida Certificated to provide competitive local exchange service. XO argues that as a Florida ALEC, it has a substantial interest in ensuring that before BellSouth is granted 271 relief, it has fully opened its local markets to competition as required by the Telecommunications Act of 1996.

Having reviewed the Petition, it appears that XO's substantial interests may be affected by this proceeding because it is a competitive service provider in Florida. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, XO takes the case as it finds it.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by XO Florida, Inc. is hereby granted. It is further

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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:


Vicki Gordon, Kaufman  
McWhirter, Reeves, McGlothlin, Davidson  
Decker, Kaufman, Arnold & Steen, P.A.  
117 South Gadsden Street  
Tallahassee, Florida 32301

Henry C. Campen, Jr.  
Parker, Poe, Adams & Bernstein  
First Union Capital Center  
150 Fayetteville Street Mail, S-1400  
Post Office Box 389  
Raleigh, NC 27602  
Dana Shaffer  
XO Communications, Inc.  
105 Molloy Street, Suite 300  
Nashville, Tennessee 37201-2315

Dana Shaffer  
XO Communications, Inc.  
105 Malloy Street, Suite 300  
Nashville, TN 37201-2315

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By ORDER of the Florida Public Service Commission this 31st  
day of July, 2001.

  
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BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

( S E A L )

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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

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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 the Commission Clerk and Administrative Services, 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.