

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for arbitration
of unresolved issues in
negotiation of interconnection
agreement with Verizon Florida
Inc. by US LEC of Florida Inc.

DOCKET NO. 020412-TP
ORDER NO. PSC-03-0055-PCO-TP
ISSUED: January 7, 2003

ORDER ON MOTION FOR EXTENSION OF TIME

On May 15, 2002, US LEC of Florida Inc. (US LEC) filed a Petition for arbitration of unresolved issues in negotiation of an interconnection agreement with Verizon Florida Inc. (Verizon). On June 4, 2002, Verizon filed its response to the Petition. This matter has been set for an administrative hearing.

By Order No. PSC-02-0993-PCO-TP, issued July 23, 2002, certain controlling dates for this docket were established. On October 11, 2002, US LEC and Verizon filed a Joint Motion to Continue Hearing (Joint Motion). On October 14, 2002, at the Prehearing Conference, the Joint Motion was granted and February 6, 2003, was designated as the new hearing date. By Order No. PSC-02-1796-PCO-TP, the due date for serving outstanding discovery responses was extended until December 30, 2002.

On December 30, 2002, US LEC filed its Unopposed Motion for Extension of Time to Serve Discovery Responses (Motion). In the Motion, US LEC is requesting an additional seven (7) days for the parties to serve outstanding discovery responses. In support of its Motion, US LEC states that the Commission ruled on various Motions for Reconsideration, filed in Docket No. 000075-TP (generic docket), at the December 17, 2002 Agenda Conference, and due to holiday and scheduling conflicts, counsel have not been fully able to complete the discovery responses. Further, US LEC asserts the parties are still in settlement negotiations and it is in the best interest of the parties to pursue potential settlement of the outstanding issues. Additionally, US LEC states it has conferred with counsel for Verizon and Verizon does not oppose the Motion.

DOCUMENT NUMBER DATE

00180 JAN-7 2003

FPSC-COMMISSION CLERK

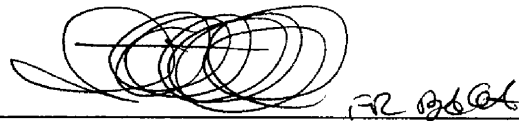
ORDER NO. PSC-03-0055-PCO-TP
DOCKET NO. 020412-TP
PAGE 2

Upon consideration, it appears reasonable and appropriate to extend the discovery response due date as requested. Accordingly, the deadline for serving outstanding discovery responses is extended until January 6, 2003.

Based on the foregoing, it is,

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that US LEC of Florida Inc.'s Unopposed Motion for Extension of Time to Serve Discovery Responses is approved. The date is hereby extended until January 6, 2003.

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 7th day of January, 2003.



BRAULIO L. BAEZ
Commissioner and Prehearing Officer

(S E A L)

AJT

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.

ORDER NO. PSC-03-0055-PCO-TP
DOCKET NO. 020412-TP
PAGE 3

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 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.