

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning complaint of MCImetro Access Transmission Services LLC and MCI WorldCom Communications, Inc. against BellSouth Telecommunications, Inc. for alleged breach of interconnection agreements with respect to rates charged for certain high-capacity circuits.

DOCKET NO. 030103-TP
ORDER NO. PSC-03-0284-PCO-TP
ISSUED: February 28, 2003

ORDER GRANTING EXTENSION OF TIME TO FILE RESPONSE

On January 29, 2003, MCImetro Access Transmission Services LLC and MCI WORLDCOM Communications, Inc. (collectively MCI) filed a complaint against BellSouth Telecommunications, Inc. (BellSouth) for breach of the parties' interconnection agreements with respect to rates charged for certain high-capacity circuits. On February 7, 2003, BellSouth filed an Unopposed Motion for Extension of Time in which to file its response to the complaint.

MCI is an affiliate company of WorldCom, Inc. (WorldCom). On July 21, 2003, WorldCom and certain of its affiliates filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code, 11 U.S.C. §101-1300, in the Bankruptcy Court for the Southern District of New York (Bankruptcy Court). BellSouth contends that in order to assert its counterclaims or claims in setoff against MCI, BellSouth must first obtain a ruling from the Bankruptcy Court. BellSouth states it intends to file a motion to lift the bankruptcy stay with respect to its counterclaims or claims in setoff on or before February 14, 2003.

BellSouth has consulted with MCI's counsel, and MCI has no objection to BellSouth having an extension of time until two weeks after the bankruptcy court issues a ruling on BellSouth's motion to lift the bankruptcy stay.

BellSouth states that there would be no prejudice to the parties by the two-week delay. However, BellSouth contends that if the extension is not granted, BellSouth would be prejudiced

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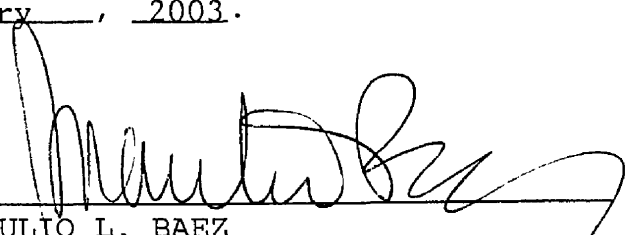
because it would not be able to assert any counterclaims or claims in setoff because of the bankruptcy stay.

Therefore, I find there is good cause to grant the Motion for Extension of Time in which to file a response.

It is therefore

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that the Motion for Extension of Time filed by BellSouth Telecommunications, Inc. is hereby granted.

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 28th day of February, 2003.



BRAULIO L. BAEZ
Commissioner and Prehearing Officer

(S E A L)

LHD

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.

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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; or (2) 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.