

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Flow-through of Lec  
Switched Access Reductions by  
Ixcs, Pursuant to Section  
364.163(2), Florida Statutes.

DOCKET NO. 030961-TI

In re: Petition by Verizon  
Florida Inc. to reform  
intrastate network access and  
basic local telecommunications  
rates in accordance with Section  
364.164, Florida Statutes.

DOCKET NO. 030867-TL

In re: Petition by Sprint-  
Florida, Incorporated to reduce  
intrastate switched network  
access rates to interstate  
parity in revenue-neutral manner  
pursuant to Section 364.164(1),  
Florida Statutes.

DOCKET NO. 030868-TL

In re: Petition for  
implementation of Section  
364.164, Florida Statutes, by  
rebalancing rates in a revenue-  
neutral manner through decreases  
in intrastate switched access  
charges with offsetting rate  
adjustments for basic services,  
by BellSouth Telecommunications,  
Inc.

DOCKET NO. 030869-TL  
ORDER NO. PSC-03-1240-PCO-TL  
ISSUED: November 4, 2003

The following Commissioners participated in the disposition of  
this matter:

LILA A. JABER, Chairman  
J. TERRY DEASON  
BRAULIO L. BAEZ  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON

DOCUMENT NUMBER DATE

10982 NOV-4-03

PSC-03-1240-PCO-TL

BY THE COMMISSION:

ORDER CONSOLIDATING DOCKETS FOR HEARING

CASE BACKGROUND

The Florida Legislature enacted the Tele-Competition Innovation and Infrastructure Enhancement Act (Tele-Competition Act or Act) which became effective on May 23, 2003. On August 27, 2003, Verizon Florida Inc. (Verizon), Sprint-Florida, Incorporated (Sprint), and BellSouth Telecommunications, Inc. (BellSouth), each filed petitions pursuant to Section 364.164, Florida Statutes. Dockets Nos. 030867-TL (Verizon), 030868-TL (Sprint), and 030869-TL (BellSouth) were opened to address these petitions in the time frame provided by Section 364.164, Florida Statutes. On September 4, 2003, the Order Establishing Procedure and Consolidating Dockets for Hearing, Order No. PSC-03-0994-PCO-TL, was issued. At the September 15, 2003, Agenda Conference, the Commission decided to hold public hearings in the above referenced dockets.

On September 3, 2003, OPC filed Motions to Dismiss the Petitions in each of these dockets. On September 10, 2003, Verizon filed its Response to OPC's Motion to Dismiss. Also on September 10, 2003, Sprint and BellSouth filed their Joint Response to OPC's Motion to Dismiss. At the September 30, 2003, the Commission voted to dismiss Verizon, Sprint, and BellSouth's Petitions with leave to amend their Petition within 48 hours to address the Commission's determination regarding the two-year time frame in Section 364.164(1)(c), Florida Statutes. On September 30, October 1, and October 2, 2003, the companies filed their amended petitions. This matter is set for hearing on December 10-12, 2003.

On October 2, 2003, Docket No. 030961-TI was opened for the purpose of providing guidelines for the IXCs in flowing through the LEC switched access reductions to the respective IXC customers, should those access reduction petitions be approved. This matter was brought before this Commission on our November 3, 2003, Agenda Conference. Following extensive discussion, it was determined that the matters which are the subject of Docket No. 030961-TI should be considered concurrently with the petitions in Dockets Nos. 030867-TL, 030868-TL, and 030869-TL. It also became obvious that we were lacking sufficient information at that Agenda Conference upon which to base a decision in any of the Dockets. Accordingly, we found

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that Docket No. 030961-TI should be consolidated for hearing with Dockets Nos. 030867-TL, 030868-TL, and 030869-TL.

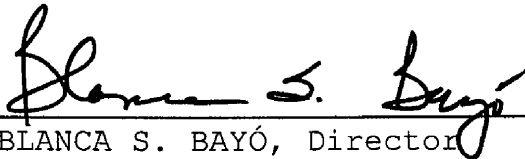
Accordingly, we find it appropriate to set the Docket No. 030961-TI for a full hearing in order to explore the issues in greater depth. Because the matters at issue in Docket No. 030961-TI are related to the issues in Dockets Nos. 030867-TL, 030868-TL, and 030869-TL and may be impacted by the decisions therein, we further find it appropriate to consolidate these Dockets for hearing.

Based upon the foregoing, it is

ORDERED by the Florida Public Service Commission that Docket No. 030961-TI is hereby set for hearing and consolidated for such purposes with Dockets Nos. 030867-TL, 030868-TL, and 030869-TL. It is further

ORDERED that this docket shall remain opening pending the outcome of further proceedings.

By ORDER of the Florida Public Service Commission this 4th Day of November, 2003.

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

( S E A L )

CLF

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; 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.