

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Complaint of Cargill Crop Nutrition, Inc., f/k/a Cargill Fertilizer, a subsidiary of Cargill Corporation, against Verizon Florida Inc. for enforcement of FCC orders and Florida Public Service Commission decisions eliminating application of tariff charges for complex inside wiring, and request for relief.

DOCKET NO. 030746-TP
ORDER NO. PSC-04-0247-PCO-TP
ISSUED: March 4, 2004

ORDER GRANTING JOINT MOTION FOR TEMPORARY SUSPENSION OF SCHEDULE

On August 1, 2003, Cargill Crop Nutrition, Inc., f/k/a Cargill Fertilizer ("Cargill") filed a Complaint against Verizon Florida Inc. d/b/a Verizon Communications ("Verizon") for enforcement of Florida Public Service Commission ("FPSC") Order No. PSC-97-0385-FOF-TL that eliminates the regulated charges under Verizon General Service Tariff 113.2, Extension Line Channel as applied to Cargill's Riverview, Florida location and refund of all monies with interest paid since April 15, 1993. On August 26, 2003, Verizon filed its Response to Cargill's petition. On October 31, 2003, Cargill filed a Motion to Amend Its Complaint against Verizon (hereinafter "Motion") to clarify the relief sought in this docket. Verizon did not file a response to Cargill's Motion. By Order No. PSC-03-1305-PCO-TP, issued November 17, 2003, Cargill's Motion to Amend Its Complaint was granted. Verizon filed its Answer to the Amended Complaint on December 4, 2003. On December 19, 2003, Order No. PSC-03-1436-PCO-TP, was issued, establishing the procedural dates for this docket.

On January 30, 2004, Verizon and Cargill (parties) filed a Joint Motion for Extension of Time to file direct testimony. By Order No. PSC-04-0123-PCO-TP, issued February 5, 2004, the Joint Motion for Extension of Time was granted.

On February 16, 2004, Verizon and Cargill filed a Joint Motion for Temporary Suspension of Schedule. This matter is currently set for an administrative hearing.

In their motion, parties are requesting that the scheduled activities or procedural dates in this case be temporarily suspended. Parties indicate that this suspension of procedural dates will allow them to implement their oral agreement to settle the case. Further, parties indicate that no party will be prejudiced by a suspension of the procedural dates in this case.

Based on the foregoing, all of the procedural dates in this case have been cancelled including the prehearing and hearing dates. To the extent that the parties' Joint Motion for Temporary Suspension of the Schedule does not conflict with my finding, it is granted. If parties have not reached a settlement in this case by April 2, 2004, parties shall file a written update of the status of the settlement negotiations with the Commission Clerk.

DOCUMENT NUMBER-DATE

03177 MAR-4 8

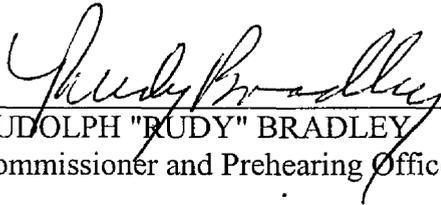
FPSC-COMMISSION CLERK

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ORDERED by Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, that the Joint Motion for Temporary Suspension of Schedule filed by Verizon Florida Inc. d/b/a Verizon Communications and Cargill Crop Nutrition, Inc. f/k/a Cargill Fertilizer, is hereby granted as set forth in this Order. It is further

ORDERED that in the event the parties have failed to reach a settlement by April 2, 2004, parties shall file a written status update of settlement negotiations with the Commission Clerk.

By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this 4th day of March, 2004.



RUDOLPH "RUDY" BRADLEY
Commissioner and Prehearing Officer

(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; or (2) judicial review by the Florida Supreme Court, in

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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.