BEFORE THE PUBLIC SERVICE COMMISSION

In re: Complaint of Supra Telecommunications Information Systems, Inc. against Telecommunications. Inc. for BellSouth violation of the Telecommunications Act of 1996; petition for resolution of disputes as to implementation and interpretation and collocation interconnection. resale agreements; and petition for emergency relief.

DOCKET NO. 980119-TP ORDER NO. PSC-04-0306-PCO-TP ISSUED: March 18, 2004

ORDER MODIFYING ORDER ESTABLISHING PROCEDURE

On January 23, 1998, Supra Telecommunications and Information Systems, Inc. (Supra) filed a Complaint against BellSouth Telecommunications, Inc. (BellSouth) for alleged violations of the Telecommunications Act of 1996 (Act) and Petition for resolution of certain disputes between BellSouth and Supra regarding interpretation of the Interconnection, Resale, and Collocation Agreements between Supra and BellSouth (Petition). On February 16, 1998, BellSouth filed its Answer and Response to Supra's Petition. On April 30, 1998, a hearing was held on the complaint. By Order No. PSC-98-1001-FOF-TP, issued July 22, 1998, this Commission rendered its final decision. The Parties filed multiple post-hearing motions. By Order No. PSC-98-1467-FOF-TP, issued October 28, 1998, this Commission denied the motions for reconsideration and to supplement the record and clarified our post-hearing Order.

Thereafter, on November 24, 1998, BellSouth filed a Complaint in the federal District Court for the Northern District of Florida appealing the Commission's decision, Case No. 4:98CV404l-WS. On May 8, 2000, the federal district court granted BellSouth's voluntary dismissal of its appeal to allow this Commission to address the issue of whether BellSouth is in compliance with the on-line edit checking requirements.

On June 8, 2000, BellSouth filed a Motion for Reconsideration of our decision and requested that the issue of whether or not BellSouth had complied with the edit checking capability requirements of Order No. PSC-98-1001-FOF-TP be resolved by the third-party testing of BellSouth's OSS, which was then being conducted pursuant to Order No. PSC-00-0104-PAA-TP, in Dockets Nos. 981834-TP and 960786-TL. On September 25, 2002, this Commission rendered our Consultative Opinion regarding the results of the testing of BellSouth's OSS, Opinion No. PSC-02-1305-FOF-TL, in Dockets Nos. 981834-TP and 960786-TL.

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By Order No. PSC-03-1178-PAA-TP, issued October 21, 2003, this Commission found that BellSouth had timely complied with the on-line edit checking requirements set forth in Order No. PSC-98-1001-FOF-TP as clarified by the subsequent Orders in this docket. On November 10, 2003, Supra filed its protest to Order No. PSC-03-1178-PAA-TP. On December 5, 2003, BellSouth filed its response to Supra's protest. By Order No. PSC-04-0120-PCO-TP, issued February 3, 2004 (Order Establishing Procedure), the administrative hearing was scheduled and the prehearing conference was set for July 26, 2004.

On January 22, 2004, prior to the issuance of the Order Establishing Procedure, Supra filed a Motion to Continue the dates that were indicated in the Commission's internal schedule. Since the dates Supra requested be changed were not those established by the Order Establishing Procedure, the motion is moot.

Due to a conflict in the Commission's calendar, the prehearing conference date needs to be rescheduled. Accordingly, the prehearing conference date is modified below:

1) Prehearing Conference

July 19, 2004

Except as modified herein, all other dates indicated in the Order Establishing Procedure shall remain the same.

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that the Prehearing Conference date is hereby scheduled for July 19, 2004. It is further

ORDERED that except as modified herein, Order No. Order No. PSC-04-0120-PCO-TP, issued February 3, 2004 (Order Establishing Procedure), remains in effect.

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By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this <u>18th</u> day of March , 2004

. TERRY DEASON

Commissioner and Prehearing Officer

(SEAL)

PAC

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.