

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition and complaint of AT&T Communications of the Southern States, LLC against BellSouth Telecommunications, Inc. and BellSouth Long Distance, Inc. for alleged anticompetitive pricing of long distance service.

DOCKET NO. 031046-TP  
ORDER NO. PSC-04-0656-PCO-TP  
ISSUED: July 7, 2004

ORDER GRANTING AT&T'S MOTION TO ACCEPT ITS LATE FILING

On November 7, 2003, AT&T filed a Petition and Complaint against BellSouth Telecommunications, Inc. (BellSouth) and BellSouth Long Distance, Inc. (BSLD) alleging anticompetitive pricing of long distance services. BSLD filed its answer on December 2, 2003. On January 15, 2004, BSLD filed a Motion for Summary Order pursuant to Rule 28-106.204(4), Florida Administrative Code. On January 29, 2004, AT&T filed its Motion for the Commission to Accept AT&T's late-filed Response in Opposition to BellSouth Long Distance, Inc.'s Motion for Summary Order.

In support of its Motion to accept its late filing, AT&T states that it did not receive a service copy of the Motion for Summary Order, either electronically or by mail. As such AT&T was unaware that the Motion had been filed, or of the need to file a response. Counsel for BSLD has not objected to a late-filed response by AT&T.

It is therefore,

ORDERED by Commissioner Charles M. Davidson, as Prehearing Officer, that AT&T's Motion for the Commission to accept AT&T's late-filed Response in Opposition to Bellsouth Long Distance, Inc.'s Motion for Summary Order is granted.

DOCUMENT NUMBER-DATE

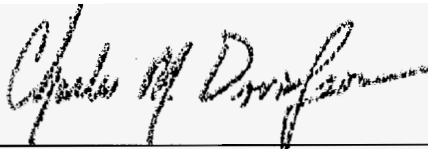
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By ORDER of Commissioner Charles M. Davidson, as Prehearing Officer, this 7th  
day of July, 2004

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CHARLES M. DAVIDSON  
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 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.