

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Compliance investigation of 9278 Communications, Inc. for apparent violation of Sections 364.02 and 364.04, Florida Statutes. | DOCKET NO. 030696-TI
| ORDER NO. PSC-05-0288-PCO-TI
| ISSUED: March 17, 2005

ORDER GRANTING 9278 COMMUNICATIONS, INC.'S AMENDED MOTION FOR
EXTENSION OF TIME TO FILE RESPONSES TO DISCOVERY

Pursuant to the Order Establishing Procedure, Order No. PSC-05-0019-PHO-TI, all discovery responses are due 20 days after service of the request with no additional time for mailing. Commission Staff served its First Set of Interrogatories and First Request for Production of Documents on 9278 Communications, Inc. (9278), on February 8, 2005, by U.S. Mail. Thus, 9278's responses were due on February 28, 2005.

On February 25, 2005, 9278 filed a Motion for Extension of Time, requesting an additional 10 days to respond to Staff's discovery request. 9278 asserted that additional time was needed and that an extension will neither inconvenience any party nor result in a delay of this case. Counsel for 9278 alleged only that it left a message for the Staff Attorney about this request but did not state whether Staff Counsel objected to the extension. Staff did not file a response opposing the motion. On March 14, 2005, 9278 filed an Amended Request for Extension of Time, asking for an extension to file its responses to Staff's discovery to March 18, 2005. In the amended request, counsel for 9278 states that he has contacted Staff counsel and that Staff counsel has no objection to the request.

In consideration of the above, 9278's amended motion shall be granted, and its responses to Commission Staff's First Set of Interrogatories and Request for Production of Documents are now due March 18, 2005.

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that 9278 Communications, Inc.'s request for an extension of time to March 18, 2005, to file its responses to Staff's First Set of Interrogatories and Request for Production of Documents is hereby granted.

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 17th day of March, 2005



LISA POLAK EDGAR
Commissioner and Prehearing Officer

(SEAL)

CTM

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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.