

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Joint petition by ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom d/b/a Grapevine; Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch; DIECA Communications, Inc. d/b/a Covad Communications Company; Florida Digital Network, Inc.; LecStar Telecom, Inc.; MCI Communications, Inc.; and Network Telephone Corporation ("Joint CLECs") for generic proceeding to set rates, terms, and conditions for hot cuts and batch hot cuts for UNE-P to UNE-L conversions and for retail to UNE-L conversions in BellSouth Telecommunications, Inc. service area.

DOCKET NO. 041338-TP

In re: Complaint of Supra Telecommunications and Information Systems, Inc. against BellSouth Telecommunications, Inc.

DOCKET NO. 040301-TP

ORDER NO. PSC-05-0454-PCO-TP

ISSUED: April 28, 2005

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition, IDS Telecom LLC (IDS) has requested permission to intervene in this proceeding. IDS is a certificated competitive local exchange telecommunications company (CLEC) and an interexchange company in Florida. IDS states that the purpose of this consolidated proceeding, among other things, is to address BellSouth's current hot processes and determine their sufficiency as well as hot cut rates which should be made available to CLECs. IDS asserts that it will utilize hot cut processes and will be substantially affected by a decision in this proceeding.

Having reviewed the Petition, it appears that IDS' substantial interests may be affected by this proceeding because IDS will be subject to the hot cut rates and processes determined in this proceeding. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, IDS takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by IDS Telecom LLC, be and the same is hereby granted. It is further

DOCUMENT NUMBER-DATE

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ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Vicki Gordon Kaufman  
Moyle, Flanigan, Katz, Raymond & Sheehan, PA  
118 North Gadsden Street  
Tallahassee, Florida 32301

Angel Leiro  
IDS Telecom LLC  
1525 NW 167<sup>th</sup> Street  
Miami, Florida 33169

By ORDER of the Florida Public Service Commission this 28th day of April, 2005.

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

By:   
Kay Flynn, Chief  
Bureau of Records

( S E A L )

FRB

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.