

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Intrado Communications, Inc. for arbitration to establish an interconnection agreement with Verizon Florida LLC, pursuant to Section 252(b) of the Communications Act of 1934, as amended, and Section 364.162, F.S.

DOCKET NO. 080134-TP  
ORDER NO. PSC-08-0236-PCO-TP  
ISSUED: April 11, 2008

ORDER APPROVING INTRADO COMMUNICATIONS, INC. AND  
VERIZON FLORIDA LLC'S AGREEMENT TO STAY ARBITRATION FOR 60 DAYS

On March 5, 2008, Intrado Communications, Inc. (Intrado) filed its Petition for Arbitration with Verizon Florida LLC (Verizon) pursuant to Section 252(b) of the Communications Act of 1934, as amended; Sections 120.80(13), 120.57(1), 364.16, 364.161, and 364.162, Florida Statutes (F.S.); and Rule 28-106.201, Florida Administrative Code (F.A.C.). On March 31, 2008, Verizon filed its Response to Intrado's Petition as well as a Motion to Hold in Abeyance Intrado's Petition for Arbitration. On April 8, 2008, Verizon filed, by letter, a statement of the parties' agreement to stay the arbitration for 60 days and withdrawal of its motion for abeyance, pending the Commission's approval of the aforesaid agreement. In its letter, Verizon states that the agreement was reached to allow for further negotiations, with the objective of eliminating issues and clarifying those that remain.

Pursuant to Rule 28-106.305, F.A.C. a prehearing officer before whom a case is pending may issue any orders necessary to promote the just, speedy, and inexpensive determination of all aspects of the case. Upon consideration, it is reasonable and appropriate to approve the parties' agreement to stay the arbitration for 60 days. Further, as this is an agreement between all parties of record, no party will be prejudiced as a result. Therefore, in an effort to allow for further negotiations, with the objective of eliminating issues and clarifying those that remain, Intrado and Verizon's agreement to stay arbitration for a period of 60 days is hereby approved. This docket shall be stayed for a period of 60 days from the date of the issuance of this Order. At the end of the 60-day period, the parties shall notify the Commission whether they are ready to proceed.

Based on the foregoing, it is

ORDERED by Commissioner Katrina J. McMurrian, as Prehearing Officer, that the agreement between Intrado Communications, Inc. and Verizon Florida LLC to stay arbitration for 60 days is hereby approved. It is further


ORDERED that this docket shall be stayed for a period of 60 days from the date of the issuance of this Order.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of Commissioner Katrina J. McMurrian, as Prehearing Officer, this 11th  
day of April, 2008.

  
KATRINA J. McMURRIAN  
Commissioner and Prehearing Officer

( S E A L )

CCP

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 Office of Commission Clerk, 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.