

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by BellSouth Telecommunications, Inc. against Thrifty Call, Inc. regarding practices in the reporting of percent interstate usage for compensation for jurisdictional access services.	DOCKET NO. 000475-TP ORDER NO. PSC-08-0388-PCO-TX ISSUED: June 10, 2008
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ORDER GRANTING JOINT MOTION FOR CONTINUANCE

On April 21, 2000, BellSouth Telecommunications, Inc. d/b/a AT&T Florida (AT&T Florida) filed a complaint against Thrifty Call, Inc. (Thrifty Call). AT&T Florida alleges that Thrifty Call intentionally and unlawfully reported erroneous Percent Interstate Usage (PIU) factors to AT&T in violation of AT&T Florida's Intrastate Access Tariff and the rules and regulations established by the Commission. AT&T Florida alleges that erroneous PIUs have resulted in the under reporting of intrastate access terminating minutes to AT&T Florida, causing AT&T Florida financial harm.

On August 20, 2001, Thrifty Call filed a Motion to Stay or in the Alternative, to Bifurcate the Proceedings. On August 28, 2001, Order No. PSC-01-1749-PCO-TP was issued, establishing procedure. On September 4, 2001, AT&T Florida filed its Opposition to Thrifty Call's Motion to Stay or in the Alternative, to Bifurcate the Proceedings. On November 21, 2001, Order No. PSC-01-2309-PCO-TP was issued, granting Thrifty Call's Motion to Stay.

On July 20, 2005, AT&T Florida filed a Motion to Lift Stay and Establish Procedural Schedule. On November 2, 2005, Order No. PSC-05-1100-PCO-TP was issued, granting AT&T Florida's Motion to Lift Stay and Establish Procedural Schedule. That same day Order No. PSC-05-1101-PCO-TP was issued, granting the Motion for Leave to Withdraw as Counsel for Thrifty Call. Thrifty Call was thus without counsel in this docket from November 2, 2005, to June 18, 2007.

On June 5, 2007, AT&T Florida filed a Motion for Summary Final Order. On July 2, 2007, Thrifty Call filed its Response in Opposition to AT&T Florida's Motion for Summary Final Order and Motion for Continuance. On July 17, 2007, AT&T Florida filed a letter in response to Thrifty Call's Motion for Continuance.

On May 19, 2008 a Prehearing Conference was held in Tallahassee Florida, before Commissioner Lisa Polak Edgar, as Prehearing Officer. The hearing was scheduled to convene on June 10, 2008.

On June 9, 2008, the parties filed a Joint Motion for Continuance. The parties request a continuance of the hearing for a two-week period. The parties are currently in settlement negotiations and are continuing to work towards resolution of the final details of the agreement. The parties submit that a two-week continuance should allow the parties to successfully conclude settlement discussions. The parties further aver that the continuance will not prejudice either

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party and is in the interest of judicial economy by potentially avoiding unnecessary costs and expenses.

Upon consideration, I find it appropriate and reasonable to grant the Joint Motion for Continuance to allow the parties to conclude settlement discussions. Parties shall file a status report no later than two weeks from date of issuance of this Order.

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that the Joint Motion for Continuance is hereby granted and the parties shall file a status report within two weeks from the date of this Order.

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 10th day of June, 2008.


LISA POLAK EDGAR
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 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.