

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation into ) DOCKET NO. 950737-TP  
Temporary Local Telephone Number ) ORDER NO. PSC-95-1241-PCO-TP  
Portability Solution to ) ISSUED: October 6, 1995  
Implement Competition in Local )  
Exchange Telephone Markets )  
\_\_\_\_\_)

ORDER GRANTING MOTION TO ACCEPT DIRECT TESTIMONY  
AND EXHIBITS OF DANNY G. ENGLEMAN

On September 6, 1995, Time Warner AXS of Florida, L.P. and Digital Media Partners (Collectively "Time Warner/DMS") filed a Motion to Accept the Direct Testimony and Exhibits of Danny G. Engleman. No response in opposition to the Motion has been filed.

As grounds the companies state:

1. By Order PSC-95-0896-PCO-TP, issued in this docket on July 25, 1995 (Procedural Order), direct testimony and exhibits were to be filed by September 1, 1995.
2. Time Warner and DMS were prepared to file the testimony and exhibits of Danny G. Engleman in compliance with the procedural order.
3. However, by attempting to consolidate numerous hand deliveries on the afternoon of September 1, 1995, and failing to accurately estimate the driving time to the Florida Public Service Commission ("Commission"), counsel for Time Warner/DMS failed to timely file the aforementioned testimony and exhibits.
4. If the Commission does not accept the testimony and exhibits as if timely filed, Time Warner/DMS will be prevented from presenting [a] direct case in this docket.
5. The parties to the docket have been contacted and do not oppose the Commission accepting the testimony and exhibits of Danny G. Engleman as if timely filed.

Based on the foregoing, it appears that no party will be prejudiced by accepting the direct testimony and exhibits of Danny G. Engleman as if timely filed in this docket.

DOCUMENT NUMBER-DATE

09881 OCT-6 95

FPSC-RECORDS/REPORTING

ORDER NO. PSC-95-1241-PCO-TP  
DOCKET NO. 950737-TP  
PAGE 2

Therefore, it is,

ORDERED that Time Warner AXS of Florida, L.P. and Digital Media Partners' Motion to Accept Direct Testimony and Exhibits of Danny G. Engleman is hereby granted.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 6th day of October, 1995.

  
\_\_\_\_\_  
J. TERRY DEASON, Commissioner and  
Prehearing Officer

( S E A L )

MMB

ORDER NO. PSC-95-1241-PCO-TP  
DOCKET NO. 950737-TP  
PAGE 3

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 Records and Reporting, 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.

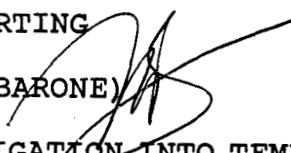
MEMORANDUM

October 6, 1995

**RECEIVED**  
OCT - 6 1995

2:15  
FPSC-RECORDS/REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (BARONE) 

RE: DOCKET NO. 950737-TP - INVESTIGATION INTO TEMPORARY LOCAL TELEPHONE NUMBER PORTABILITY SOLUTION TO IMPLEMENT COMPETITION IN LOCAL EXCHANGE TELEPHONE MARKETS

1241-PCD

Attached is an Order Granting Motion to Accept Direct Testimony and Exhibits of Danny G. Engleman to be issued in the above-referenced docket. (Number of pages in Order - 3)

MMB  
Attachment  
cc: Division of Communications  
I:950737M.MMB

**MUST GO TODAY**