

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

RECEIVED
OCT 26 1995

DATE: OCTOBER 25, 1995

TO: ALL PARTIES OF RECORD

FROM: DONNA CANZANO, STAFF COUNSEL
DIVISION OF LEGAL SERVICES

RE: DOCKET NO. 950985-TP - RESOLUTION OF PETITION(S) TO ESTABLISH
NONDISCRIMINATORY RATES, TERMS, AND CONDITIONS FOR
INTERCONNECTION INVOLVING LOCAL EXCHANGE COMPANIES AND
ALTERATIVE LOCAL EXCHANGE COMPANIES PURSUANT TO SECTION
364.162, FLORIDA STATUTES

FPSC-RECORDS/REPORTING

Attached is a copy of the Order Regarding Further Proceedings that will be issued later today.

This docket now has two petitions with "separate" procedural dates. Records and Reporting will file all documents for both petitions under Docket No. 950985-TP. In an effort to assist the Legal Department in organizing all the documents associated with these two petitions, we would like the parties to address all filings related to Continental's petition as 950985A-TP.

Also, we note that the letter designation does not affect the party status of any intervenor in this docket. Such parties shall be deemed parties in Continental's petition unless they notify the Commission otherwise.

If you have any questions, please do not hesitate to call me.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC 1 _____
- WAS _____
- OTH _____

DOCUMENT NUMBER-DATE
10577 OCT 26 1995
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution of) DOCKET NO. 950985A-TP
petition(s) to establish) ORDER NO.
nondiscriminatory rates, terms,) ISSUED:
and conditions for)
interconnection involving local)
exchange companies and)
alternative local exchange)
companies pursuant to Section)
364.162, Florida Statutes.)

ORDER REGARDING FURTHER PROCEEDINGS

On August 30, 1995, the Order Establishing Procedure (Order) was issued in this docket in anticipation of the petitions that could be filed by eligible local exchange of alternative local exchange companies pursuant to Section 364.162(3), Chapter 95-403, Laws of Florida. See Order No. PSC-95-1084-PCO-TP. The Order established procedural dates for petitions that were received by September 15, 1995. The Order also stated that those dates may be modified for late-filed petitions.

The Order required that the direct testimony, exhibits and a proposed list of issues of the petitioner shall be filed with the petition. Although Continental Cablevision, Inc. (Continental) filed a petition on October 6, 1995, the date on which Continental filed an amended petition meeting the requirements of the procedural order was October 20, 1995.

The Chairman has set this matter for a formal administrative hearing on November 30 - December 2, 1995. The Order has been modified as set forth below to accommodate the formal administrative hearing set for the resolution of Continental's petition. The requirements of the Order shall remain effective for all subsequently filed petitions unless modified by order of the Commission or Prehearing Officer.

Discovery

Unless authorized by the Prehearing Officer for good cause shown, all discovery shall be completed by November 28, 1995.

Controlling Dates

The following dates have been established to govern the key activities of this case to address the issues raised by Continental's petition:

- 1) Petitioner's direct testimony, October 20, 1995
exhibits, proposed list of issues,
and provisions that have been agreed
upon and those issues that are
unresolved.
- 2) Respondent's direct testimony, November 3, 1995
exhibits, proposed list of issues,
and provisions that have been agreed
upon and those issues that are
unresolved.
- 3) Intervenor's direct testimony November 3, 1995
and exhibits
- 4) Prehearing Statements November 13, 1995
- 5) Rebuttal testimony and November 17, 1995
exhibits
- 6) Prehearing Conference November 20, 1995
- 7) Hearing November 30, 1995 -
December 2, 1995
- 8) Briefs December 14, 1995

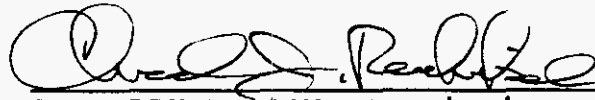
Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that Order No. PSC-95-1084-PCO-TP has been modified as discussed in the body of this Order to address the petition filed by Continental Cablevision, Inc. It is further

ORDERED that the requirements of Order No. PSC-95-1084-PCO-TP shall remain effective for all subsequently filed petitions unless modified by order of the Commission or Prehearing Officer.

ORDER NO.
DOCKET NO. 950985A-TP
PAGE 3

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this _____ day of _____, _____.

 Ass't TO
J. TERRY DEASON, Commissioner and
Prehearing Officer

(S E A L)

DLC/RVE

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.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution of) DOCKET NO. 950985-TP
petition(s) to establish)
nondiscriminatory rates, terms,) FILED: OCTOBER 25, 1995
and conditions for)
interconnection involving local)
exchange companies and)
alternative local exchange)
companies pursuant to Section)
364.162, Florida Statutes.)
_____)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing memorandum regarding the Order Regarding Further Proceedings, filed in the above referenced docket, has been sent VIA-FACSIMILE on this 25th day of October, 1995, and that true and correct copies thereof have been furnished by U.S. Mail on the 26th day of October, 1995, to the following:

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