

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Establishment of a
statewide emergency area code
relief plan.

DOCKET NO. 990373-TP
ORDER NO. PSC-99-1012-PCO-TP
ISSUED: May 20, 1999

ORDER GRANTING IN PART MOTION TO EXTEND TESTIMONY SCHEDULE

On April 20, 1999, Order No. PSC-99-0761-PCO-TP was issued establishing the dates to govern the key activities in this proceeding. On May 17, 1999, a Joint Motion to Extend Testimony Schedule and Request for Expedited Ruling was filed by AT&T Communications of the Southern States, AT&T Wireless Services, Florida Cellular Service, Inc. d/b/a/ BellSouth Mobility, BellSouth Telecommunications, Inc., Cox Communications, Florida Cable Telecommunications Association, GTE Florida, Inc., GTE Wireless, Intermedia Communications, Inc., MediaOne, MCI WorldCom, Inc., Network Plus, Inc., Omnipoint Communications MB Operations, LLC d/b/a Omnipoint Communications, Sprint Corporation, Time Warner AxS of Florida, L.P. d/b/a Time Warner Telecom, and Supra Telecommunications & Information Systems, Inc. (hereinafter "Joint Movants"), pursuant to Rule 28-106.204, Florida Administrative Code. The Joint Movants request that the schedule for the filing of testimony and prehearing statements in this docket be extended to provide them with additional time to prepare and submit a stipulation that they believe would resolve the issue set forth for hearing. The Joint Movants further request that the Joint Motion be handled on an expedited basis.

To support their request, the Joint Movants state that they have been working to prepare a stipulation that would address the issue set for hearing on July 7 and 8, 1999. They state, however, that drafting a stipulation that properly meets the concerns of the Commission and the industry, which by necessity involves many telephone number code holders, has taken more time to prepare than the Commission's fast track schedule for these proceedings allows. In hopes that the extension will afford them time to conclude and file the stipulation without being distracted by the preparation of direct testimony that is now due on May 21, 1999, the Joint Movants propose the following schedule:

DOCUMENT NUMBER-DATE

06395 MAY 20 88

FPSC-RECORDS/REPORTING

Direct Testimony, change from May 21 to June 4
Staff Direct Testimony, change from May 28 to June 11
Prehearing Statements, change from June 3 to June 4
Rebuttal Testimony, change from June 3 to June 18

The Joint Movants explain the unusual proposed filing date for Prehearing Statements. The Joint Movants believe that given the limited scope of this proceeding and the presence of a single issue, parties will be able to file prehearing statements with their direct testimony. Further, filing prehearing statements at that time will enable the Commission to retain its June 16 prehearing conference date and the July 7 and 8 hearing dates, while affording the Commission, its Staff, and the parties sufficient time between June 16 and July 7 to conclude discovery and otherwise prepare for the hearing.

Finally, the Joint Movants argue that the request will not adversely affect any party, the Commission, or its Staff and will enable the submission of a stipulation that would resolve the issue set for hearing and eliminate the need for the scheduled hearings. The Office of Public Counsel has no objection to this Motion. Moreover, in the event the Joint Movants are unable to conclude their stipulation prior to May 21st, there will still be adequate time to prepare for the July hearing.

Upon consideration, the Joint Movants' Motion is granted in that the dates for filing testimony and prehearing statements are extended. Upon review, however, I find the following dates more accommodating for adequate preparation.

Revised Controlling Dates

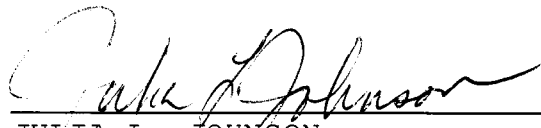
Filing	Due date
Direct Testimony	June 4, 1999
Staff Direct Testimony	June 4, 1999
Prehearing Statements	June 4, 1999
Rebuttal Testimony	June 14, 1999

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Based on the foregoing, it is

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that the Motion to Extend the Testimony Schedule is granted in part as set forth in the body of this Order.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 20th day of May, 1999.



JULIA L. JOHNSON
Commissioner and Prehearing Officer

(S E A L)

DWC

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, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida

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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, 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.

M E M O R A N D U M

May 19, 1999

RECEIVED-PPSC

99 MAY 19 PM 3:07

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (CALDWELL) *CB for DC*

RE: DOCKET NO. 990373-TP - In re: Establishment of a
statewide emergency area code relief plan.

1012-PCD

Attached is an ORDER GRANTING IN PART MOTION TO EXTEND
TESTIMONY SCHEDULE to be issued in the above-referenced docket.
(Number of pages in order - 4)

DWC/slh
Attachment
cc: Division of Communications (Ileri)
I:\990373cn.ord

See

MUST GO TODAY

9/1

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Date 5/20/99 21
Number of Originals 4 Copies Per Original _____
Requested By [Signature]

Item Presented _____
Agenda For (Date) _____ Order No. 99-1012 In Docket No. 9910373
Notice of _____ For (Date) _____ In Docket No. _____
Other _____

Special Handling Instructions _____

Distribution/Mailing		Distribution/Mailed To	
Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>19</u>	<u>Commission Offices</u>	<u>7</u>	<u>Family History</u>
	<u>Docket Mailing List - Mailed</u>		
<u>19</u>	<u>Docket Mailing List - Faxed</u>		

Note: Items must be mailed and/or returned within one working day after issue unless specified here.

Mini Shop Verification
Job Number 212 Verified by U.S.
Date and Time Completed 5-20 Job Checked For Correctness and Quality (Initial) _____

Mail Room Verification
Date Mailed _____ Verified by _____