

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies.

DOCKET NO. 000121-TP
ORDER NO. PSC-01-0552-PCO-TP
ISSUED: March 12, 2001

ORDER GRANTING INTERVENTION

By Petition, American Communications Services of Jacksonville, Inc. d/b/a eSpire Communications, Inc. (eSpire) has requested permission to intervene in this proceeding. eSpire states that it is a certified alternative local exchange carrier in Florida and must utilize the operations support systems (OSS) of incumbent local exchange carriers (ILEC) in order to provide local exchange service. eSpire states that the establishment of OSS affects eSpire's ability to obtain services from ILECs. Thus, eSpire states that its substantial interests are affected by the outcome of this proceeding.

Having reviewed the Petition, it appears that eSpire's substantial interests may be affected by this proceeding. eSpire states that it must utilize the OSS of incumbent local exchange carriers (ILEC) in order to provide local exchange service. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, eSpire takes the case as it finds it.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by American Communications Services of Jacksonville, Inc. d/b/a eSpire Communications, Inc., be and the same is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

DOCUMENT NUMBER-DATE

03093 MAR 12 01

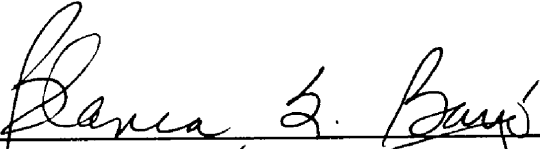
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Norman H. Horton, Jr.
Messer, Caparello & Self, P.A.
215 S. Monroe Street, Suite 701
Tallahassee, Florida 32301-1876, and

Renee Terry, Esq.
eSpire Communications, Inc.
131 National Business Parkway, Suite 100
Annapolis Junction, Maryland 20701

By ORDER of the Florida Public Service Commission this 12th
day of March, 2001.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(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.

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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.