

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into
pricing of unbundled network
elements (BellSouth track).

DOCKET NO. 990649A-TP
ORDER NO. PSC-01-2189-PCO-TP
ISSUED: November 8, 2001

ORDER SUPPLEMENTING DISCOVERY REQUIREMENTS
OF ORDER NO. PSC-01-1904-PCO-TP

On May 25, 2001, this Commission issued its Final Order on Rates for Unbundled Network Elements Provided by BellSouth (Phases I and II), Order No. PSC-01-1181-FOF-TP. In that Order, among other things, we ordered BellSouth to refile, within 120 days of the issuance of the Order, revisions to its cost study addressing xDSL-capable loops, network interface devices, and cable engineering and installation. The parties to the proceeding were also ordered to refile within 120 days of the issuance of the Order, proposals addressing network reliability and security concerns as they pertain to access to subloop elements.

By Order No. PSC-01-1904-PCO-TP, issued September 24, 2001, the procedure for the hearing regarding BellSouth's 120-day filing was established. Therein, certain discovery requirements were defined. However, it now appears that due to the proximity of the hearing on BellSouth's 120-day filing, discovery responses should be expedited in order to allow parties and Commission staff an adequate opportunity to review the information. Therefore, all discovery responses shall be due 15 days after service of the request, with no additional time for mailing. As previously set forth in Order No. PSC-01-1904-PCO-TP, all discovery requests shall be served by e-mail, with a hard copy to follow by U.S. Mail or hand delivery. Responses to interrogatories, and where practicable production of documents, shall also be served by e-mail, with a hard copy to follow by U.S. Mail or hand delivery. Commission staff shall be served with a copy of these and all other filings.

It is therefore

ORDERED by Chairman E. Leon Jacobs, as Prehearing Officer, that the discovery requirements set forth in Order No. PSC-01-1904-PCO-TP are supplemented as set forth in the body of this Order. It is further

DOCUMENT NUMBER-DATE

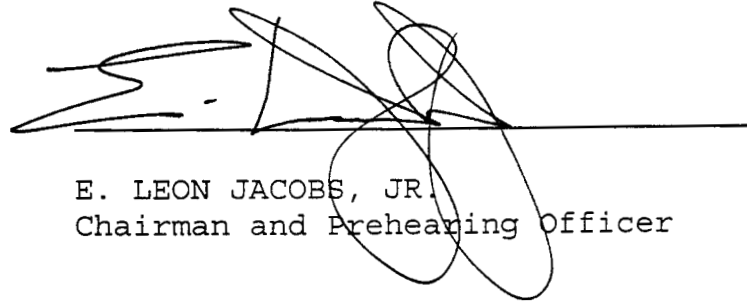
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ORDERED that Order No. PSC-01-1904-PCO-TP is affirmed in all other respects.

By ORDER of Chairman E. Leon Jacobs, Jr. as Prehearing Officer, this 8th Day of November, 2001.



E. LEON JACOBS, JR.
Chairman 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, 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,

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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 the Commission Clerk and Administrative Services, 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.