

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. (Sprint-Florida Track)

DOCKET NO. 000121B-TP
ORDER NO. PSC-02-0645-PCO-TP
ISSUED: May 10, 2002

ORDER GRANTING INTERVENTION

By Petition, Time Warner Telecom of Florida, L.P. (Time Warner) has requested permission to intervene in this proceeding. Time Warner states that it is an alternate local exchange company (ALEC) providing exchange access and local exchange telecommunications services in the State of Florida, and, as such, is subject to the Commission's rules, regulations and orders. Time Warner states that it must utilize the operations support systems of incumbent local exchange companies (ILEC) in order to provide local exchange service in Florida. Thus, Time Warner states that any decision in this case will directly and substantially affect Time Warner's interests.

Having reviewed the Petition, it appears that Time Warner's substantial interests may be affected by this proceeding. As an ALEC operating in Florida, Time Warner states that it must utilize the operations support systems of ILECs to provide local exchange service. Thus, Time Warner has sufficiently demonstrated that its substantial interests may be affected by the outcome of this proceeding. Pursuant to Rule 25-22.039, Florida Administrative Code, Time Warner takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by Time Warner Telecom of Florida, L.P. 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

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FPSC-COMMISSION CLERK

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Peter M. Dunbar, Esquire
Karen M. Camechis, Esquire
Pennington, Moore, Wilkinson, Bell & Dunbar, P.A.
Post Office Box 10095 (32302)
215 S. Monroe Street, 2nd Floor
Tallahassee, FL 32301

By ORDER of the Florida Public Service Commission this 10th
day of May, 2002.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

JKF

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.

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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, 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.