

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for arbitration  
of unresolved issues in  
negotiation of interconnection  
agreement with Verizon Florida  
Inc. by US LEC of Florida Inc.

DOCKET NO. 020412-TP  
ORDER NO. PSC-02-1796-PCO-TP  
ISSUED: December 19, 2002

ORDER ON MOTION FOR EXTENSION OF TIME

On May 15, 2002, US LEC of Florida Inc. (US LEC) filed a Petition for arbitration of unresolved issues in negotiation of an interconnection agreement with Verizon Florida Inc. (Verizon). On June 4, 2002, Verizon filed its response to the Petition. This matter has been set for an administrative hearing.

By Order No. PSC-02-0993-PCO-TP, issued July 23, 2002, certain controlling dates for this docket were established. On October 11, 2002, US LEC and Verizon filed a Joint Motion to Continue Hearing (Joint Motion). On October 14, 2002, at the Prehearing Conference, the Joint Motion was granted and February 6, 2003, was designated as the new hearing date. By Order No. PSC-02-1485-PCO-TP, as amended by Order No. PSC-02-1485A-PCO-TP, the due date for serving outstanding discovery responses was extended until December 19, 2002.

On December 16, 2002, US LEC filed its Unopposed Motion for Extension of Time to Serve Discovery Responses (Motion). In the Motion, US LEC is requesting an additional eleven (11) days for the parties to serve outstanding discovery responses. In support of its Motion, US LEC states that the Commission is currently scheduled to address various Motions for Reconsideration, filed in Docket No. 00075-TP (generic docket), at the December 17, 2002 Agenda Conference. US LEC asserts it is in the best interest of the parties to allow the Commission to resolve the Motions for Reconsideration in the generic docket in order to assist in the potential settlement of the outstanding issues in this docket. Additionally, US LEC states it has conferred with counsel for Verizon and Verizon does not oppose the Motion.

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Upon consideration, it appears reasonable and appropriate to extend the discovery response due date as requested. Accordingly, the deadline for serving outstanding discovery responses is extended until December 30, 2002.

Based on the foregoing, it is,

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that US LEC of Florida Inc.'s Unopposed Motion for Extension of Time to Serve Discovery Responses is approved. The date is hereby extended until December 30, 2002.

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 19th day of December, 2002.



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BRAULIO L. BAEZ  
Commissioner 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.

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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.