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April 22, 2003

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Ms. Blanca S. Bayo  
Division of Commission Clerk and  
Administrative Services  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32301

**In Re: Docket No. 030300-TP**

Dear Ms. Bayo:

Please find enclosed for filing an original and fifteen (15) copies of The Florida Public Telecommunications Association's Consented Motion for Extension of Time in Which to Respond to the Motion to Dismiss filed by BellSouth. If you have any questions, please feel free to contact our office.

Sincerely,

  
Brian A. Newman

BAN/wgp  
Enclosures

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Petition of Florida Public )  
Telecommunications Association )  
for Expedited Review of BellSouth )  
Telecommunications, Inc.'s Tariffs )  
with respect to Rates for Payphone )  
Line Access, Usage, and Features. )

Docket No. 030300-TP

Filed: April 15, 2003

**THE FLORIDA PUBLIC TELECOMMUNICATIONS ASSOCIATION'S  
CONSENTED MOTION FOR EXTENSION OF TIME IN WHICH  
TO RESPOND TO THE MOTION TO DISMISS FILED BY BELL SOUTH**

The Florida Public Telecommunications Association (the "FPTA") moves for an extension of time through and including May 9, 2003, in which to respond to the Motion to Dismiss filed by BellSouth Telecommunications, Inc. ("BellSouth") and says:

1. The FPTA's Petition asks the Florida Public Service Commission for significant relief regarding its business relationship with BellSouth:

- A. Direct BellSouth to file cost studies that show the forward-looking economic costs that BellSouth incurs to provide PTAS service in its territories in Florida and direct BellSouth to fully explain and justify any deviations from the cost studies ultimately adopted in the context of the Commission's UNE proceeding in Docket 990649-TP;
- B. Invalidate BellSouth PTAS rates, including rates for underlying pay telephone access lines, features, and usage if and where applicable;
- C. Require BellSouth to expeditiously amend its tariff to include PTAS rates calculated in accordance with the NST, in compliance with Section 276 of the Act, as implemented by the FCC through the Payphone Orders or, in the alternative,

determine and fix BellSouth's PTAS rates in accordance with the NST;

- D. Direct BellSouth to refund all amounts paid for EUCL/SLC since April 15, 1997.
- E. Direct BellSouth to refund to PSPs the difference between (a) the PTAS rates, including rates for access lines, features, and usage paid by PSPs to BellSouth since January 20, 1999, and (b) the lawful PTAS rates which should have been charged by BellSouth since January 20, 1999 if the rates had been properly calculated using the NST;
- F. Schedule a formal administrative hearing to address disputed issues of fact and law regarding BellSouth's tariffed PTAS rates, including rates for access lines, features, and usage, pursuant to Sections 120.569 and 120.57, Florida Statutes; and
- G. Grant such other relief as the Commission deems just and proper.

2. BellSouth answered and moved to dismiss FPTA's claims for refunds.

3. Model Rule 28-106.204(1) provides for a mere 7 days in which to file a response in opposition to a motion. The Model Rule also permits a motion for extension of time for good cause shown. R. 28-106.204(5).

4. The seven days since BellSouth filed its Motion to Dismiss included the significant holidays of Good Friday and Easter.

5. BellSouth's 15-page Motion to Dismiss asserts that it does not owe FPTA refunds for several reasons, including legal and equitable considerations.

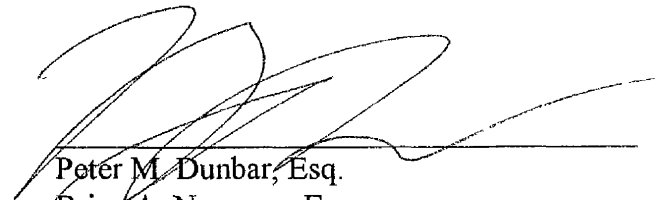
6. In order to fully assess and respond to BellSouth's Motion to Dismiss, FPTA seeks additional time to file its Response in Opposition on or before May 9, 2003.

10. FPTA does not seek this extension of time for dilatory purposes, but seeks it in the interests of justice.

11. BellSouth has consented to FPTA's request for an extension of time.

WHEREFORE, FPTA respectfully requests an extension of time to May 9, 2003, in which to file its Response in Opposition to BellSouth's Motion to Dismiss.

Respectfully Submitted,



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& Dunbar, P.A.  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by and U.S. Mail to Meredith E. Mays, Regulatory Counsel, BellSouth Corporation, Legal Department, 675 West Peachtree Street, Suite 4300, Atlanta, Georgia 30375-0001, Nancy B. White, General Counsel-Florida, BellSouth Telecommunications, Inc., Suite 1910, 150 W. Flagler St., Miami, Florida 33130, and Linda Dodson, Staff Counsel, Florida Public Service Commission, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, this 22d day of April, 2003.

