

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Emergency petition of AT&T
Communications of the Southern States, LLC
d/b/a AT&T d/b/a Lucky Dog Phone Co. d/b/a
ACC Business d/b/a SmarTalk d/b/a
Unispeaksm Service d/b/a AT&T for cease and
desist order and other sanctions against Supra
Telecommunications and Information Systems,
Inc.

DOCKET NO. 030200-TP
ORDER NO. PSC-03-0708-PCO-TP
ISSUED: June 13, 2003

ORDER GRANTING MOTION FOR EXTENSION OF TIME TO FILE TESTIMONY

On February 24, 2003, AT&T Communications of the Southern States, LLC d/b/a AT&T d/b/a Lucky Dog Phone Co. d/b/a ACC Business d/b/a SmarTalk d/b/a Unispeaksm Service d/b/a AT&T (collectively, AT&T), filed its Emergency Petition Requesting a Cease and Desist Order and Other Sanctions Against Supra Telecommunications and Information Systems, Inc. (Supra). On March 17, 2003, Supra filed its Motion to Dismiss AT&T's Emergency Petition, and on March 24, 2003, AT&T filed its Response to Supra's Motion to Dismiss. On May 6, 2003, Order No. PSC-03-0578-FOF-TP was issued, denying Supra's Motion to Dismiss and setting the matter for hearing. By Order No. PSC-03-0635-PCO-TP, issued May 23, 2003, the hearing and prehearing dates as well as other key activities dates were established for this proceeding. On June 11, 2003, AT&T filed its Motion for Extension of Time to File Testimony.

In support of its Motion, AT&T states that direct testimony and rebuttal testimony filing dates are currently June 11, 2003, and June 25, 2003, respectively. AT&T asserts that the parties are in settlement negotiations, which they anticipate will result in the amicable resolution of all matters at issue in this proceeding. AT&T contends that these negotiations will require some additional time to achieve a successful conclusion. AT&T requests that in light of the efforts to reach a settlement, the time for filing direct testimony be extended until June 18, 2003, and the time for filing rebuttal testimony be extended until July 2, 2003. AT&T asserts that the remaining procedural dates set forth in Order No. PSC-03-0635-PCO-TP would remain unchanged. AT&T notes that counsel for Supra agrees with the motion and joins in the motion.

Currently, the prehearing statements are scheduled to be filed on June 25, 2003, and the prehearing conference is scheduled for July 2, 2003. Under AT&T's proposed changes to the schedule, rebuttal testimony would be filed on the same day as the prehearing conference, while the prehearing statement filing date would remain unchanged and would precede rebuttal testimony. Although this is a departure from the Commission's usual scheduling practice, given that the parties indicated their agreement to the scheduling changes and in light of the continued negotiations, I find

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it appropriate to approve the Motion for Extension of Time to File Testimony. Accordingly, the filing dates for direct testimony and rebuttal testimony are rescheduled as indicated below:

- 1) Direct testimony and exhibits, if any June 18, 2003
- 2) Rebuttal testimony and exhibits, if any July 2, 2003

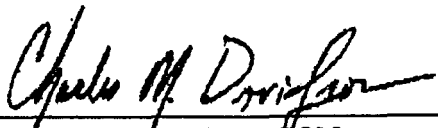
Except as modified herein, Order No. PSC-03-0635-PCO-TP is reaffirmed in all other respects.

Based on the foregoing, it is

ORDERED by Commissioner Charles M. Davidson, as Prehearing Officer, that AT&T Communications of the Southern States, LLC d/b/a AT&T d/b/a Lucky Dog Phone Co. d/b/a ACC Business d/b/a SmarTalk d/b/a Unispeaksm Service d/b/a AT&T's Motion for Extension of Time to File Testimony is granted as set forth in the body of this Order. It is further

ORDERED that except as modified herein, Order No. PSC-03-0635-PCO-TP is hereby reaffirmed in all other respects.

By ORDER of Commissioner Charles M. Davidson, as Prehearing Officer, this 13th Day of June, 2003.



CHARLES M. DAVIDSON
Commissioner and Prehearing Officer

(SEAL)

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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; or (2) 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.