



Telephone: (850) 402-0510
Fax: (850) 402-0522
www.supratelecom.com

ORIGINAL

1311 Executive Center Drive, Suite 200
Tallahassee, FL 32301-5027

June 18, 2002

Mrs. Blanca Bayo, Director
Division of Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED - FPSC
03 JUN 18 PM 2:25
COMMISSION
CLERK

**RE: DOCKET NO. 030349- TP -
SUPRA TELECOMMUNICATIONS AND INFORMATION
SYSTEMS, INC., RESPONSE TO BELLSOUTH'S MOTION FOR
CONTINUANCE**

Dear Mrs. Bayo:

Enclosed are the original and seven (7) copies of Supra Telecommunications and Information Systems, Inc.'s (Supra) Response to BellSouth's Motion for Continuance.

We have enclosed a copy of this letter, and ask that you mark it to indicate that the original was filed, and thereupon return it to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Jorge L. Cruz-Bustillo
Assistant General Counsel

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC _____
OTH _____

RECEIVED & FILED
man
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER DATE
05417 JUN 18 02
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

| | | |
|--|---|----------------------|
| In Re: Petition of Supra Telecommunications |) | |
| and Information Systems, Inc., for Expedited |) | |
| Review and Cancellation of BellSouth |) | Docket No. 030349-TP |
| Telecommunications, Inc.'s \$75 Cash Back |) | |
| Promotional Tariffs (T-030132) and For |) | |
| Investigation into BellSouth Telecommunications, |) | |
| Inc.'s Promotional Pricing and Marketing Practices |) | Filed: June 18, 2003 |
| _____ |) | |

**SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.,
RESPONSE TO BELL SOUTH'S MOTION FOR CONTINUANCE**

Supra Telecommunications and Information Systems, Inc., ("Supra") by and through its undersigned counsel hereby files this Response to BellSouth's motion for continuance. In response Supra states as follows:

1. Supra has no objection to continuing the hearing date to a time in either October, November, or December 2003.
2. Supra submits that only half a day is necessary to hear the testimony in this case. Supra believes, along with BellSouth, that an alternative hearing date will likely make itself available sometime between October and December 2003.
3. For the record, Supra submits that BellSouth would not be prejudiced if a continuance is not granted. BellSouth is a multi-billion dollar company with 25 million customers and operations in nine (9) states. BellSouth employs hundreds of thousands of people. BellSouth also employs dozens of in-house lawyers in its nine state region. It only seems to reason that BellSouth has the resources to have witnesses and lawyers available to defend their actions, in the State of Florida, on the schedule determined by the Florida Public Service Commission.
4. Interestingly, the BellSouth lawyer that the company argues must be present to make its defense is not even a Florida in-house lawyer. Mr. Kip Edenfield is an attorney located in

**MOTION FOR LEAVE TO AMEND Supra's Petition for Expedited Review
and Cancellation of BellSouth's \$75 Cash Back Promo - Tariff in T - 030132**

Atlanta, Georgia. Mr. John Ruscilli, it is argued, cannot be present during the August 29th hearing because he must testify before the Tennessee Regulatory Authority on September 3, 4 and 5th – ironically, none of these dates actually conflict with August 29th. BellSouth argues for a delay because it wishes to use out-of-state lawyers and out-of-state technical witnesses to defend its actions in the State of Florida. There is no order, rule or statute that BellSouth can cite as authority for the proposition that it is entitled to manipulate the Commission's hearing calendar based upon the schedule of two out-of-state employees, employed by a multi-billion dollar company with operations in nine states.

5. At another point in its motion, BellSouth goes as far as to attempt to create the impression that Supra and BellSouth have the same legal resources available. See footnote 1, of BellSouth's motion, "Supra's ratio of in-house lawyers to access lines is greater than BellSouth's ratio." While the word game is creative, there can be no debate that BellSouth's legal resources simply dwarf any resources Supra can bring to bear in any forum.

6. While Supra does not agree with BellSouth's arguments for why a continuance is necessary, Supra does not object to a continuance in this instance.

RESPECTFULLY SUBMITTED this 18th day of June 2003.

SUPRA TELECOMMUNICATIONS
& INFORMATION SYSTEMS, INC.
2620 S.W. 27th Avenue
Miami, Florida 33133
Telephone: (305) 476-4252
Facsimile: (305) 443-9516

By: 
JORGE L. CRUZ-BUSTILLO

**MOTION FOR LEAVE TO AMEND Supra's Petition for Expedited Review
and Cancellation of BellSouth's \$75 Cash Back Promo - Tariff in T - 030132**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was delivered by Hand Delivery, Facsimile, Federal Express or U.S. Mail to the persons listed below this 18th day of June 2003.

Ms. Nancy White
c/o Nancy Sims
BellSouth Telecommunications, Inc.
150 S. Monroe Street
Suite 400
Tallahassee, FL 32301

Ms. Linda Dodson
Legal Division
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

By:  / *AKS*
JORGE L. CRUZ-BUSTILLO