

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Mpower Communications Corp. and Florida Digital Network, Inc. for expedited temporary and permanent relief against BellSouth Telecommunications, Inc. for alleged anticompetitive conduct regarding Florida Digital Network Inc.'s proposed acquisition of assets and customer base of Mpower Communications Corp.

DOCKET NO. 030301-TP
ORDER NO. PSC-03-0823-FOF-TP
ISSUED: July 16, 2003

ORDER AUTHORIZING QUALIFIED REPRESENTATIVE STATUS

On July 8, 2003, Stephen M. Klimacek, Senior Attorney for BellSouth Telecommunications, Inc. (BellSouth), filed a written request pursuant to Rule 28-106.106, Florida Administrative Code, for Michael D. Karno, Attorney, 675 West Peachtree Street, Suite 4300, Atlanta, Georgia 30375, to appear as Qualified Representative for BellSouth in Docket No. 030301-TP. After reviewing the request, it appears that Michael D. Karno has the necessary qualifications to responsibly represent BellSouth's interests in a manner which will not impair the fairness of the proceeding or the correctness of the action to be taken. Having met the requirements of Rule 28-106.106(4), Florida Administrative Code, Michael D. Karno is authorized to appear as Qualified Representative on behalf of BellSouth in this docket.

Based on the foregoing, it is

ORDERED by Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, that Michael D. Karno, Attorney, 675 West Peachtree Street, Suite 4300, Atlanta, Georgia 30375, is hereby authorized to appear as Qualified Representative on behalf of BellSouth Telecommunications, Inc., 675 West Peachtree Street, Suite 4300, Atlanta, Georgia 30375, in this docket.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this 16th day of July, 2003.


RUBOLPH "RUDY" BRADLEY
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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, 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 and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.