# MCWHIRTER REEVES

TAMPA OFFICE: 400 North TAMPA Strept, Suite 2450 TAMPA, Florida 33602 P. O. Box 3350 TAMPA, FL 33601-3350 (813) 224-0866 (813) 221-1854 Fax

PLEASE REPLY TO:

TALLAHASSEE

TALLAHASSEE OFFICE: 117 SOUTH GADSDEN TALLAHASSEH, FLORIDA 32301 (850) 222-2525 (850) 222-5606 FAX

September 5, 2003

## VIA HAND DELIVERY

Blanca S. Bayo, Director Division of Records and Reporting Betty Easley Conference Center 4075 Esplanade Way Tallahassee, Florida 32399-0870

Re: Docket No.: 981834-TP and 990321-TP

Dear Ms. Bayo:

On behalf of DIECA Communications, Inc. d/b/a Covad Communications Company (Covad), enclosed for filing and distribution are the original and 15 copies of the following:

Moving Parties' Request for Extension of Time to File Briefs.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

RECEIVED & FILED FPSC-BUREAU OF RECORDS

Sincerely,

Willis Andre Lungman

Vicki Gordon Kaufman

VGK/bae Enclosure

DOCUMENT NUMPER-DATE

MCWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, KAUFMAN & ARNOLD, P.A.

^.08364 SEP-5℃

FPSC-COMMISSION CLERK

### **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.'s service territory

In re: Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for generic investigation to ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and GTE Florida Incorporated comply with obligation to provide alternative local exchange carriers with flexible, timely, and cost-efficient physical collocation. Docket No. 981834-TP

Docket No. 990321-TP

Filed: September 5, 2003

#### Moving Parties' Request for Extension of Time to File Briefs

DIECA Communications, Inc. d/b/a Covad Communications Company, Sprint-Florida, Incorporated and Sprint Communications Company Limited Partnership, AT&T Communications of the Southern States, LLC, and Florida Digital Network (collectively, the Moving Parties), request that the Commission extend the time for post-hearing briefs in Phase I of this proceeding to September 19, 2003. As grounds therefore, the Parties state:

1. The hearing in Phase I of this case was held on August 11-12, 2003. The schedule calls for post-hearing briefs to be filed on September 9, 2003.

2. During the proceeding, the Commission encouraged the Parties to attempt to reach agreement on outstanding issues in this phase of the docket as well as issues that will be considered in the hearing in Phase 2 set for December 11-12, 2003.

3. To that end, the Parties have been engaged in discussions (via e mail) as to a number of matters at issue, have exchanged draft stipulation language, and are still engaged in negotiating many of the issues.

4. To facilitate those negotiations and to permit the Parties to focus on such negotiations, rather than devoting extensive time at this juncture to drafting post-hearing briefs on issues that may be settled, the Parties request an extension of time until September 19, 2003 to file their post-hearing briefs.

5. Moving Parties have no objection to an extension of the date for the Staff recommendation, the Agenda Conference at which the Staff recommendation is considered, and for issuance of the order that may be necessitated by an extension of the date for the filing of briefs.

6. Verizon Florida, Inc. does not oppose the motion. BellSouth Telecommunications, Inc. opposes the motion.

WHEREFORE, the Moving Parties request that the Commission enter an order changing the due date for the filing of post-hearing briefs in Phase I to September 19, 2003.

Uni Hordow Laufman

Charles Watkins () Covad Communications Co. 1230 Peachtree Street, N.E., 19<sup>th</sup> Floor Atlanta, GA 30309 (404) 942-3494 (404) 942-3495 (fax) gwatkins@covad.com

Vicki Gordon Kaufman McWhirter, Reeves, McGlothlin, Davidson, Kaufman & Arnold, P.A. 117 South Gadsden Street Tallahassee, Florida 32301 (850) 222-2525 (850) 222-5606 (fax) vkaufman@mac-law.com

Attorneys for DIECA Communications, Inc. d/b/a Covad Communications Company

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Parties' Request for Extension of Time to File Briefs has been furnished by (\*) hand delivery, (\*\*) electronic mail and U.S. Mail this 5<sup>th</sup> day of September 2003, to the following:

(\*) Beth Keating Florida Public Service Commission Division of Legal Services 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

(\*\*) Jeff Wahlen Ausley Law Firm Post Office Box 391 Tallahassee, Florida 32302

(\*\*) Nancy B. White c/o Nancy H. Sims BellSouth Telecommunications, Inc. 150 South Monroe Street, Suite 400 Tallahassee, Florida 32301-1556

(\*\*) Terry Monroe/Genevieve Morelli CompTel 1900 M Street, NW Sutie 800 Washington, DC 20036

(\*\*) Michael A. Gross
Florida Cable Telecommunications
Association, Inc.
246 East 6th Avenue, Suite 100
Tallahassee, Florida 32303

(\*\*) Nanette S. Edwards ITC DeltaCom 4092 South Memorial Parkway Huntsville, AL 35802-4343

(\*\*) Laura L. Gallagher MediaOne 101 E. College Avenue, Suite 302 Tallahassee, Florida 32301 (\*\*) Don Sussman Network Access Solutions Corporation Three Dulles Tech Center 13650 Dulles Technology Drive Herndon, VA 20171-4602

(\*\*) Susan Masterton Charles Rehwinkel Sprint Communications Company Post Office Box 2214 MC: FLTLHO0107 Tallahassee, Florida 32316-2214

(\*\*) Ann Shelfer Supra Telecommunications 1311 Executive Center Drive, Suite 200 Tallahassee, Florida 32301

(\*\*) Andrew Isar Telecommunications Resellers Assoc. 7901 Skansie Avenue Suite 240 Gig Harbor, WA 98335

(\*\*) Matthew Feil Florida Digital Network, Inc. 390 North Orange Avenue, Suite 2000 Orlando, Florida 32801

(\*\*) Robert Waldschmidt Howell & Fisher Court Square Building 300 James Robertson Parkway Nashville, TN 37201

(\*\*) Richard Heatter Mpower Communications Corp. 175 Sully's Trail, Suite 300 Pittsford, NY 14534 (\*\*) Rodney Joyce Shook, Hardy & Bacon LLP 600 14th Street, NW Suite 800 Washington, DC 20005

(\*\*) Richard A. Chapkis Verizon Select Services, Inc. Post Office Box 110 FLTC0007 Tampa, Florida 33601-0110

(\*\*) C. Ronis/D. McCuaig/J. Frankel Wilmer Law Firm 2445 M. Street, NW Washington, DC 20037

(\*\*) Tracy Hatch AT&T Communications of the Southern States, Inc. 101 North Monroe Street, Suite 700 Tallahassee, Florida 32301-1549

Villie Hudm Laufman Vicki Gordon Kaufman