

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Complaint against BellSouth
Telecommunications, Inc. for alleged
overbilling and discontinuance of service, and
petition for emergency order restoring service,
by IDS Telecom LLC.

DOCKET NO. 031125-TP
ORDER NO. PSC-04-0184-PCO-TP
ISSUED: February 23, 2004

ORDER GRANTING IDS' MOTION FOR EXTENSION OF TIME

BY THE COMMISSION:

On December 23, 2003, IDS Telecom LLC (IDS) filed its Complaint against BellSouth Telecommunications, Inc. (BellSouth) for Overbilling and Discontinuance of Service and a Petition for Emergency Order Restoring Service. On December 30, 2003, IDS filed an Amended Complaint for Overbilling and Discontinuation of Service and Petition for Emergency Order Restoring Service. On January 9, 2004, BellSouth filed its Motion for Extension of Time to file its response to IDS' complaint. On January 16, 2004, BellSouth filed its Partial Motion to Dismiss and Answer. On January 23, 2004, IDS filed its Unopposed Motion for Extension of Time.

In its Motion, IDS asserts that based on the issues raised in BellSouth's Motion to Dismiss and Answer, as well as a desire on the part of all counsel to narrow the issues raised in the Complaint and Motion to Dismiss, it desires an extension of time within which IDS must respond to BellSouth Motion to Dismiss and Answer. IDS states that it had contacted BellSouth's counsel and BellSouth had no objection to granting the Motion for Extension of Time.

IDS has stated good cause for granting the Motion for Extension of Time. Thus, the Motion for Extension of Time shall be granted. Accordingly, IDS shall have a fourteen (14) day extension or until February 6, 2004 to file its response.

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that IDS Telecom, LLC's Unopposed Motion for Extension of Time is hereby granted. IDS Telecom LLC shall have a fourteen (14) day extension or until February 6, 2004, to file its response.


DOCUMENT NUMBER-DATE

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By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 23rd day of February, 2004.


J. TERRY DEASON
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.