

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Complaint of Supra Telecommunications and Information Systems, Inc. against BellSouth Telecommunications, Inc. for violation of the Telecommunications Act of 1996; petition for resolution of disputes as to implementation and interpretation of interconnection, resale and collocation agreements; and petition for emergency relief.

DOCKET NO. 980119-TP  
ORDER NO. PSC-04-0697-PCO-TP  
ISSUED: July 16, 2004

ORDER GRANTING MOTION FOR EXTENSION OF TIME

BY THE COMMISSION:

On January 23, 1998, Supra Telecommunications and Information Systems, Inc. (Supra) filed a Complaint against BellSouth Telecommunications, Inc. (BellSouth) for alleged violations of the Telecommunications Act of 1996 (Act) and Petition for resolution of certain disputes between BellSouth and Supra regarding interpretation of the Interconnection, Resale, and Collocation Agreements between Supra and BellSouth (Petition). On April 30, 1998, a hearing was held on the complaint. By Order No. PSC-98-1001-FOF-TP, issued July 22, 1998, this Commission rendered its final decision. The Parties filed multiple post-hearing motions. Thereafter, BellSouth filed a Complaint in the federal District Court appealing the Commission's decision. On May 8, 2000, the federal district court granted BellSouth's voluntary dismissal of its appeal to allow this Commission to address the issue of whether BellSouth is in compliance with the on-line edit checking requirements.

By Order No. PSC-03-1178-PAA-TP, issued October 21, 2003, this Commission found that BellSouth had timely complied with the on-line edit checking requirements set forth in Order No. PSC-98-1001-FOF-TP as clarified by the subsequent Orders in this docket. On November 10, 2003, Supra filed its protest to Order No. PSC-03-1178-PAA-TP. On December 5, 2003, BellSouth filed its response to Supra's protest. By Order No. PSC-04-0120-PCO-TP, issued February 3, 2004 (Order Establishing Procedure), the administrative hearing was scheduled, and by Order No. PSC-03-1178-PAA-TP, issued October 21, 2003, the Order Establishing Procedure was modified to reschedule the prehearing.

On July 7, 2004, Supra filed its Motion for Extension of Time to file prehearing statements. In support of its Motion, Supra states that due to the depositions of witnesses in this matter that occurred July 7, 2004, the limited number of legal personnel and other work commitments, Supra needs additional two (2) days to file its prehearing statement. Supra asserts that neither the parties nor staff would be prejudice by a two (2) day extension of time. Supra

DOCUMENT NUMBER-DATE

07764 JUL 16 04

FPSC-COMMISSION CLERK


ORDER NO. PSC-04-0697-PCO-TP  
DOCKET NO. 980119-TP  
PAGE 2

states that it contacted BellSouth's counsel who has no objection to the extension of time. Supra contends that the two (2) day extension should apply to BellSouth as well.

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer that Supra Telecommunications and Information Systems, Inc.'s Motion for Extension of Time for an additional two (2) days to file prehearing statements is hereby granted.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 16th day of July, 2004

  
J. TERRY DEASON  
Commissioner and Prehearing Officer

(SEAL)

PAC

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-

ORDER NO. PSC-04-0697-PCO-TP  
DOCKET NO. 980119-TP  
PAGE 3

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.