

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re:)
)
Complaint to Enforce Interconnection Agreement) Docket No. 040527-TP
with NuVox Communications, Inc. by BellSouth) Filed September 17, 2004
Telecommunications, Inc.)
)
_____)

**NUVOX COMMUNICATIONS, INC.'S MOTION FOR EXTENSION OF TIME TO
RESPOND TO BELLSOUTH TELECOMMUNICATIONS, INC.'S
MOTION FOR SUMMARY DISPOSITION**

NuVox Communications, Inc. ("NuVox"), by and through undersigned counsel, pursuant to Rule 28-106.204(1), Florida Administrative Code, hereby files this motion for an extension of time to respond to BellSouth's motion for summary disposition filed in this proceeding on September 13, 2004. The reason for the requested extension is as follows:

A staff recommendation scheduled to be considered by the Commission on September 21, 2004 recommends, if NuVox's Motion to Dismiss is denied, that "this Docket should be held in abeyance for a period of 30 days from the issuance of the order resulting from this recommendation and the parties should be directed to enter staff-assisted discussions to resolve outstanding issues."

This recommendation is premised, in part, on the substantial litigation this matter has undergone before the Georgia Public Service Commission. Accordingly, should the staff recommendation be adopted, NuVox respectfully seeks an extension of time in which to file its response to BellSouth's Motion for Summary Disposition. Specifically, NuVox seeks a period of 7 days after the parties are able to meet to discuss resolution of outstanding issues in this docket in which to file its response¹. This relief is consistent with the rationale for a period of

¹ If the staff recommendation is not adopted, and NuVox's motion to dismiss is granted, the response to BellSouth's Motion for Summary Disposition would be moot.

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abatement, *i.e.*, actions would be deferred until the parties are able to meet to discuss resolution of the outstanding issues in the docket.

Counsel for NuVox has contacted counsel for BellSouth and represents that BellSouth agrees to provide NuVox additional time to respond to Bellsouth's Motion for Summary Disposition as set forth in this Motion.

WHEREFORE, for the foregoing reasons, NuVox respectfully requests an extension of time in which to file its response to BellSouth's Motion for Summary Disposition until 7 days after the parties are able to meet to discuss resolution of outstanding issues, as contemplated in staff's recommendation on NuVox's Motion to Dismiss, to be heard on September 21, 2002.

Respectfully submitted,

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CERTIFICATE OF SERVICE

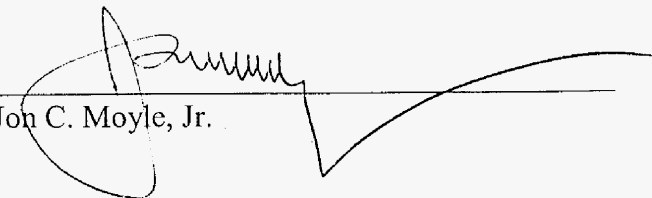
I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery to the following parties marked by an asterisk, and by U.S. Mail to the following parties not marked with an asterisk, on this 17th day of September, 2004:

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