

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Adoption of the National School Lunch Program and an income-based criterion at or below 135% of the Federal Poverty Guidelines as eligibility criteria for the Lifeline and Link-Up programs.

DOCKET NO. 040604-TL  
ORDER NO. PSC-04-1250-PCO-TL  
ISSUED: December 17, 2004

ORDER GRANTING FLORIDA CABLE TELECOMMUNICATIONS  
ASSOCIATION'S PETITION TO INTERVENE

By Petition filed on December 7, 2004, Florida Cable Telecommunications Association (FCTA) has requested permission to intervene in these proceedings. FCTA is a non-profit trade association representing the cable telecommunications industry in Florida, cable companies providing cable services and information services, including cable modem and VoIP services in the State of Florida, as well as certificated competitive local exchange carriers (CLECs) providing local exchange telecommunications service in Florida. In the instant docket, this Commission will address whether to expand eligibility criteria for Lifeline and Link-Up assistance. The outcome of such determinations could impact FCTA members either as newly mandated Lifeline providers or through changes resulting from this Commission's adoption of any of the proposed cost recovery mechanisms. Therefore, this Commission's actions in this docket could have a direct and immediate effect on FCTA's substantial interests.

Having reviewed the Petition, it appears that FCTA's substantial interests may be affected by these proceedings, because its members provide local exchange service and VoIP in Florida. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, FCTA takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by Florida Cable Telecommunications Association is hereby granted. It is further

DOCUMENT NUMBER-DATE


13236 DEC 17 04

FPSC-COMMISSION CLERK

ORDERED that all parties to these proceedings shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in these proceedings, to:

Michael A. Gross  
Vice President, Regulatory Affairs and Regulatory Counsel  
Florida Cable Telecommunications Association  
246 E. 6th Avenue, Suite 100  
Tallahassee, FL 32303  
Tel: (850) 681-1990  
Fax: (850) 681-9676  
E-mail: mgross@fcta.com

By ORDER of the Florida Public Service Commission this 17th day of December, 2004.

  
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BLANCA S. BAYO, Director  
Division of the Commission Clerk  
and Administrative Services

(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.

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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.