

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Compliance investigation of 9278 Communications, Inc. for apparent violation of Sections 364.02 and 364.04, Florida Statutes. | DOCKET NO. 030696-TI
ORDER NO. PSC-05-0689-PC0-TI
ISSUED: June 22, 2005

ORDER GRANTING MOTION TO HOLD DOCKET IN ABEYANCE

On June 21, 2005, Commission Staff moved for the entry of an order holding this docket and all activities in this docket in abeyance. Staff asks that the proceedings be abated so that the terms of a settlement agreement with 9278 Communications, Inc. ("9278") may be finalized to resolve the dispute at issue in this docket. Staff asserts that counsel for 9278 supports the motion.

This matter is presently set for a prehearing conference on June 22, 2005, and a hearing on July 7, 2005. This docket shall be held in abeyance until the Commission considers a proposed settlement agreement, but not later than September 6, 2005.

Based on the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that this docket and all activities in this docket shall be held in abeyance until the Commission considers the settlement agreement, but not later than September 6, 2005.

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 22nd day of June, 2005


LISA POLAK EDGAR

Commissioner and Prehearing Officer

(SEAL)

CTM

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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.