

ORIGINAL

**Matilda Sanders**

**From:** Slaughter, Brenda [Brenda.Slaughter@BellSouth.COM]  
**Sent:** Wednesday, July 20, 2005 2:29 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Edenfield, Kip; Linda Hobbs; Fatool, Vicki; Holland, Robyn P; Nancy Sims; Bixler, Micheale; Smith, Debbie N.  
**Subject:** Docket 041338-TP  
**Importance:** High  
**Attachments:** 041338-TP Joint Motion to Modify Order.pdf

- A. Brenda Slaughter  
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- B. Docket No.: 041338-TP – Petition for Generic Proceeding to Set Rates, Terms, and Conditions for Batch Hot Cuts for UNE-P to UNE-L Conversions and for ILEC to UNE-L Conversions in the BellSouth Telecommunications, Inc. Service Area
- C. BellSouth Telecommunications, Inc.  
 on behalf of E. Earl Edenfield, Jr.
- D. 5 pages total (including letter, certificate of service, and pleading)
- E. Joint Motion to Modify Order Establishing Procedure on behalf BellSouth Telecommunications, Inc., Florida Digital Networks Inc., d/b/a FDN Communications, and Supra Information & Telecommunications Systems, Inc.

Brenda Slaughter (sent on behalf of E. Earl Edenfield, Jr.)  
 BellSouth Telecommunications, Inc.

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Legal Department

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July 20, 2005

Mrs. Blanca S. Bayó  
Division of the Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Docket No.: 041338-TP  
Petition for Generic Proceeding to Set Rates, Terms, and Conditions for  
Batch Hot Cuts for UNE-P to UNE-L Conversions and for ILEC to UNE-L  
Conversions in the BellSouth Telecommunications, Inc. Service Area**

Dear Ms. Bayó:

Enclosed is a Joint Motion to Modify Order Establishing Procedure, which we ask that you file in the captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,



E. Earl Edenfield, Jr.

Enclosure

cc: All Parties of Record  
Jerry D. Hendrix  
Nancy B. White  
R. Douglas Lackey

DOCUMENT NUMBER-DATE

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**CERTIFICATE OF SERVICE  
Docket No. 041338-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and First Class U.S. Mail this 20th day of July, 2005 to the following:

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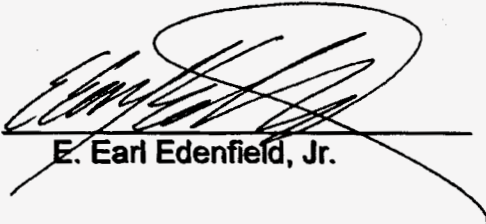
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E. Earl Edenfield, Jr.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Generic Proceeding to Set	)	
Rates, Terms, and Conditions for Batch Hot	)	Docket No. 041338-TP
Cuts for UNE-P to UNE-L Conversions and for	)	
ILEC to UNE-L Conversions in the BellSouth	)	
Telecommunications, Inc. Service Area	)	Filed: July 20, 2005
_____)		

**JOINT MOTION TO MODIFY ORDER ESTABLISHING PROCEDURE**

On behalf of BellSouth Telecommunications, Inc. ("BellSouth"), Florida Digital Networks Inc., d/b/a FDN Communications ("FDN"), and Supra Information and Telecommunications Systems, Inc. ("Supra"), BellSouth files this Joint Motion to Modify Order Establishing Procedure and says:

1. On April 20, 2005, the Commission issued the Order Establishing Procedure<sup>1</sup>, which set forth, among other things, the controlling dates for the filing of testimony by the parties regarding the issues in Phase I of this proceeding. (Order Establishing Procedure, at 7)
2. Pursuant to the current schedule, Direct Testimony is due to be filed on July 22, 2005.
3. During the last month, the Parties have been, and continue to be, engaged in settlement negotiations that encompass nearly all of the pending issues in this proceeding.
4. The Parties believe that a short extension to the current procedural schedule will allow the Parties time to conclude these settlement discussions.
5. The Parties are optimistic that they can resolve quite a few of the pending issues, which should significantly lessen the amount of testimony to be filed (including reducing the number of witnesses), as well as shorten the amount of time needed for the hearing.

<sup>1</sup> Order No. PSC-05-0433-PCO-TP. The Order Establishing Procedure was amended on April 29, 2005 to modify the issues list (Order No. PSC-05-0433A-PCO-TP).

6. The Parties propose the following amended schedule for the Order Establishing Procedure:

Direct testimony (including exhibits and cost studies) (All)	August 2, 2005
Rebuttal testimony and exhibits (All)	September 1, 2005
Surrebuttal Testimony and exhibits (All)	September 15, 2005
Prehearing Statements	September 15, 2005

7. All other controlling dates, including the hearing dates, would remain the same.

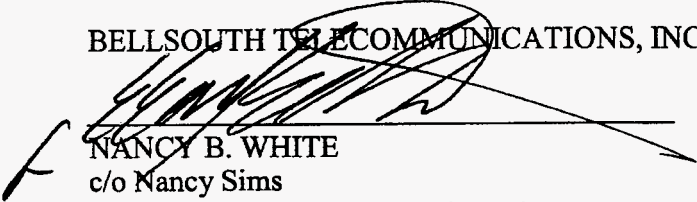
8. ITC^DeltaCom and MCI have no objection to the relief requested. The remaining CLECs have been advised of this Motion, but have not yet indicated whether they have any objection to the relief sought.

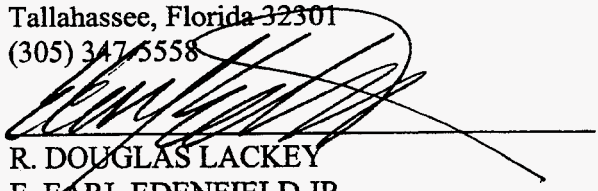
9. No Party will be prejudiced by the granting of this Motion.

WHEREFORE, BellSouth, on behalf of BellSouth, FDN, and Supra, respectfully requests that the Order Establishing Procedure be modified as set forth above.

Respectfully submitted this 20<sup>th</sup> day of July 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

  
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