

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by BellSouth
Telecommunications, Inc. against Thrifty Call,
Inc. regarding practices in the reporting of
percent interstate usage for compensation for
jurisdictional access services.

DOCKET NO. 000475-TP
ORDER NO. PSC-08-0188-PCO-TP
ISSUED: March 25, 2008

SECOND ORDER MODIFYING PROCEDURE

I. Case Background

On April 21, 2000, this docket was established to address BellSouth Telecommunications, Inc. d/b/a AT&T Florida's (AT&T) complaint against Thrifty Call, Inc. (Thrifty Call). AT&T alleges that Thrifty Call intentionally and unlawfully reported erroneous Percent Interstate Usage (PIU) factors to AT&T in violation of AT&T's Intrastate Access Tariff and the rules and regulations established by the Commission. AT&T alleges that erroneous PIUs have resulted in the under reporting of intrastate access terminating minutes to AT&T, causing AT&T financial harm.

On August 20, 2001, Thrifty Call filed a Motion to Stay or in the Alternative, to Bifurcate the Proceedings. On November 21, 2001, Order No. PSC-01-2309-PCO-TP, was issued, granting Thrifty Call's Motion to Stay.

On July 20, 2005, AT&T filed a Motion to Lift Stay and Establish Procedural Schedule. On November 2, 2005, Order No. PSC-05-1100-PCO-TP, was issued, granting AT&T's Motion to Lift Stay and Establish Procedural Schedule.¹

On June 5, 2007, AT&T filed a Motion for Summary Final Order. On July 2, 2007, Thrifty Call filed its Response in Opposition to AT&T's Motion for Summary Final Order and Motion for Continuance. On July 17, 2007, AT&T filed a letter in response to Thrifty Call's Motion for Continuance.

By Order No. PSC-07-1027-PCO-TP (Order Modifying Procedure), issued December 28, 2007, the hearing was rescheduled to June 10, 2008.

On March 11, 2008, AT&T filed its Notice of Withdrawal of its Motion for Summary Final Order.

¹ That same day, Order No. PSC-05-1101-PCO-TP, was issued, granting the Motion for Leave to Withdraw as Counsel for Thrifty Call. Thrifty Call was thus without counsel in this docket from November 2, 2005, to June 18, 2007.

DOCUMENT NUMBER-DATE

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II. Decision

Currently, the discovery deadline for this docket is April 1, 2008. With a hearing scheduled for June 10, 2008, this date was specifically designated as the discovery deadline to allow for the resolution of AT&T's Motion for Summary Final Order. However, upon the withdrawal of AT&T's Motion, it is no longer necessary for the discovery deadline to be scheduled more than two months before the hearing.

Accordingly, I find it reasonable and appropriate to extend the current discovery deadline of April 1, 2008. The following revised date shall govern this case:


(1) Discovery Deadline May 5, 2008

Based on the foregoing, it is

ORDERED that the controlling dates as established in Order No. PSC-07-1027-PCO-TP are modified as set forth in this order. It is further

ORDERED that all other aspects of Order No. PSC-07-1027-PCO-TP are reaffirmed.

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 25th day of March, 2008.


LISA POLAK EDGAR
Commissioner and Prehearing Officer

(S E A L)

CCP

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 Office of Commission Clerk, 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.