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> > June 7, 2010

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Ms. Ann Cole, Director Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Betty Easley Conference Center Room 110 Tallahassee, FL 32399-0850

Re: Docket No. 100275-TP

Dear Ms. Cole:

HAND DELIVERY

OENED-FPSC UN-7 PH 2: 44 CLERK

Enclosed for filing on behalf of Grande Communications Networks, LLC and Grande Communications Networks, Inc. ("Grande") are the original and four copies of Grande's Unopposed Motion to Revise Schedule.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me.

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Thank you for your assistance with this filing.

Sincerely,

Marcha F Rule

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## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

| In re: Complaint of BellSouth         | ) |                      |
|---------------------------------------|---|----------------------|
| Telecommunications, Inc. d/b/a AT&T   |   | Docket No. 100275-TP |
| Florida Against Grande Communications | ) |                      |
| Networks LLC, and Grande              |   | Filed: June 7, 2010  |
| Communications Networks, Inc.         |   |                      |
|                                       | ) |                      |

## **UNOPPOSED MOTION TO REVISE SCHEDULE**

Grande Communications Networks, LLC, and Grande Communications Networks, Inc. ("Grande") pursuant to Rule 28-106.204, Florida Administrative Code, hereby move the Florida Public Service Commission ("Commission") to revise the due date to move to dismiss or otherwise respond to the Complaint ("Complaint") filed by BellSouth Telecommunications, Inc., d/b/a AT&T Florida ("AT&T") in the above-referenced docket. In support, Grande states:

- 1. AT&T filed its Complaint against Grande on May 11, 2010. The Complaint was served upon Grande by the Commission Clerk on May 12, 2010, via certified mail, return receipt requested.
- 2. Rule 28-106.203, Florida Administrative Code, permits but does not require Grande to respond to AT&T's petition. The rule does not establish a deadline for such response. Rule 28-106.204(2), Florida Administrative Code, permits Grande to move to dismiss AT&T's complaint no later than twenty (20) days after service.
- 3. On May 27, 2010, Grande filed its Unopposed Motion to Set Schedule, explaining that the parties had agreed upon a response date of June 8, 2010, and requesting the Commission to adopt a procedural schedule incorporating such date. Grande's Motion was granted on June 4, 2010 by Order PSC-10-0352-PCO-TP.

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- 4. Grande and AT&T are actively engaged in good faith settlement negotiations and have agreed upon a further extension of time in which to attempt to resolve this matter voluntarily. Accordingly, Grande requests that the Commission revise the current schedule and extend the due date from June 8, 2010 to June 18, 2010 to permit the parties to continue settlement negotiations.
- 5. The undersigned counsel has consulted with AT&T's counsel regarding this motion, and represents that AT&T's counsel agrees to the revised response date set forth herein.

WHEREFORE, Grande Communications Networks, LLC, and Grande Communications Networks, Inc. respectfully request that this Motion be granted.

Respectfully submitted this 7<sup>th</sup> day of June, 2010.

Marsha E. Rule

Rutledge, Ecenia & Purnell, P.A. 119 South Monroe Street, Suite 202

Tallahassee, FL 32301

(850-681-6788) (Telephone)

(850-681-6788) Facsimile)

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by email and United States Mail, this  $7^{th}$  day of June, 2010, to the following:

Florida Public Service Commission:
Martha Brown, Esq.
Pauline Evans, Esq.
Florida Public Service Commission

Florida Public Service Commission 2540 Shumard Oak Blvd.

Tallahassee, FL 32399-0850 Email: mbrown@psc.state.fl.us peavans@psc.state.fl.us AT&T Florida:

E. Edenfield/T. Hatch/M. Gurdian c/o Mr. Gregory Follensbee 150 South Monroe Street, Suite 400 Tallahassee, FL 32301-1561

Email: greg.follensbee@att.com

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Marsha E. Rule