

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation into which ) DOCKET NO. 930046-TP  
local exchange company (LEC) ) ORDER NO. PSC-95-0801-PCO-TP  
services are effectively ) ISSUED: July 3, 1995  
competitive in 1993. )  
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ORDER SUSPENDING PROCEDURAL SCHEDULE

By Order No. PSC-94-1286-FOF-TP, issued October 17, 1994, this Commission determined that certain LEC-provided services were effectively competitive pursuant to Section 367.338, Florida Statutes. On November 7, 1994, a number of the parties to this proceeding filed timely protests to Order No. PSC-94-1286-FOF-TP. Pursuant to their protests, this case has been scheduled for an administrative hearing.

By Order No. PSC-95-0511-PCO-TP, issued April 26, 1995, this Prehearing Officer established a schedule to govern the key activities in this docket. According to that schedule, the parties' direct testimony is due on or before June 1, 1995, Staff's testimony is due on or before June 20, 1995, and rebuttal testimony and prehearing statements are due on or before July 10, 1995.

By Order No. PSC-95-0671-PCO-TP, issued May 31, 1995, the times for filing direct and rebuttal testimony in this proceeding were extended because of the uncertainty regarding whether pending legislation affecting the subject matter of this proceeding would become law. On June 17, 1995, Committee Substitute for Senate Bill 1554 became law without the Governor's signature. One of the provisions of the bill repeals Section 364.338, Florida Statutes. Since the issues in this proceeding are directly related to this now repealed provision, it is appropriate to suspend the filing of testimony and prehearing statements pending an evaluation of the appropriate disposition of this docket. Accordingly, the procedural schedule in this case set forth in Order No. PSC-95-0511-PCO-TP and as modified by Order No. PSC-94-0671-PCO-TP is hereby suspended. Parties will be notified of any subsequent decisions regarding the disposition of this docket.

Based on the foregoing, it is

ORDERED by Chairman Susan F. Clark, as Prehearing Officer, that the procedural schedule for this docket is hereby suspended as set forth in the body of this order.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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By ORDER of Chairman Susan F. Clark, as Prehearing Officer,  
this 3rd day of July, 1995.



SUSAN F. CLARK, Chairman and  
Prehearing Officer

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 Records and Reporting, 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.