

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution of) DOCKET NO. 950985A-TP
petition(s) to establish) ORDER NO. PSC-95-1358-PCO-TP
nondiscriminatory rates, terms) ISSUED: November 2, 1995
and conditions for)
interconnection involving local)
exchange companies and)
alternative local exchange)
companies pursuant to Section)
364.162, Florida Statutes.)

ORDER MODIFYING PROCEDURAL DATES

The dates to accommodate the formal administrative hearing set for the resolution of Continental Cablevision, Inc.'s (Continental) petition were set forth in Order No. PSC-95-1311-PCO-TP, issued October 25, 1995.

On October 31, 1995, Continental filed a Motion for Stay of Proceeding and to Hold Proceeding in Abeyance with Respect to GTE, United and Centel. Continental believes that the Commission's action in Docket No. 950696-TP will have an effect on the local interconnection rate being negotiated by Continental and BellSouth. However, Continental is uncertain how the ultimate interconnection rate between Continental and BellSouth will be affected by the Commission's action in that docket in light of the prohibition against discrimination in such rates established by Section 364.162, Florida Statutes (1995). Consequently, Continental seeks to await the Commission's vote on the issues in Docket No. 950696-TP before proceeding herein.

Continental also requests that the Commission hold this docket in abeyance with respect to GTE, United and Centel until the parties have had 60 days in which to negotiate.

Continental states that it will file a status report on or before December 15, 1995 indicating whether a final hearing involving the BellSouth issues will be necessary. Also, Continental states that it will indicate the status of the negotiations with GTE, United and Centel.

Counsel for Continental states that he has conferred with the counsel for the other parties to this docket regarding the stay request and is authorized to represent that no party object to the stay requested herein.

DOCUMENT NUMBER-DATE

10811 NOV-28

FPSC-RECORDS/REPORTING

306

In consideration of Continental's motion, the following procedural dates have been modified with respect to testimony relating to Continental's petition to establish interconnection rates with BellSouth:


- 1) Respondent's direct testimony, November 13, 1995
exhibits, proposed list of issues,
and provisions that have been agreed
upon and those issues that are
unresolved.
- 2) Intervenor's direct testimony November 13, 1995
and exhibits
- 3) Prehearing Statements November 27, 1995
- 4) Rebuttal testimony and November 27, 1995
exhibits

Further decisions regarding the remaining procedural dates, including those related to Continental's interconnection rates with the remaining local exchange companies, will be issued in a subsequent order.

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that Order No. PSC-95-1311-PCO-TP has been modified as discussed in the body of this Order.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 2nd day of November, 1995.


ASSISTANT TO
J. TERRY DEASON, Commissioner and
Prehearing Officer

(S E A L)

DLC

ORDER NO. PSC-95-1358-PCO-TP
DOCKET NO. 950985A-TP
PAGE 3

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.