

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Easy Cellular, Inc. d/b/a Telcom Plus against BellSouth Telecommunications, Inc. for alleged violations of the Telecommunications Act of 1996 and Chapter 364 of the Florida Statutes.

DOCKET NO. 980703-TP  
ORDER NO. PSC-98-0999-PCO-TP  
ISSUED: July 22, 1998

ORDER GRANTING MOTION FOR EXTENSION OF TIME

On June 1, 1998, Easy Cellular, Inc. (Easy Cellular) filed a complaint against BellSouth Telecommunications, Inc. (BellSouth) alleging violations of the Telecommunications Act of 1996. On June 22, 1998, BellSouth filed its answer and asserted a counterclaim against Easy Cellular. This matter has been scheduled for a hearing on December 7, 1998 and a prehearing is scheduled for November 30, 1998.

On July 15, 1998, Easy Cellular filed a Motion for Extension of Time requesting a period of two weeks for the filing of its answer to BellSouth's counterclaim. In support of its motion, Easy Cellular states that it needs more time to fully review the allegations raised in the counterclaim and to develop appropriate responses. Easy Cellular also states that counsel for BellSouth has no objection to the Motion for Extension of Time.

Having reviewed the motion, it is appropriate to grant Easy Cellular's motion to allow the petitioner sufficient time to review the allegations raised in BellSouth's counterclaim. Since the hearing on this complaint is scheduled for December 7, 1998, granting of the extension will not delay the procedural schedule. Accordingly, the Motion for Extension of Time is granted until July 29, 1998.

Based on the foregoing, it is

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the Motion for Extension of Time filed by Easy Cellular, Inc. is hereby granted.


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FPSC-RECORDS/REPORTING

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By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 22nd day of July, 1998.

  
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SUSAN F. CLARK  
Commissioner and Prehearing Officer

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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.

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,

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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.