

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC's First Report and Order, for the Miami Palmetto Central Office, by BellSouth Telecommunications, Inc.

DOCKET NO. 980948-TL  
ORDER NO. PSC-99-0096-PCO-TL  
ISSUED: January 19, 1999

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition, ACI Corp. (ACI) has requested permission to intervene in this proceeding. ACI states that it plans to offer facilities-based, high-speed data communications services to residential and business customers in Florida in 1999 and plans to submit applications for physical collocation space in this central office. ACI asserts that it, therefore, has a substantial interest in the outcome of this proceeding. Having reviewed the Petition, we find that it should be granted. ACI has demonstrated that it has a substantial interest in the outcome of this proceeding, because of its stated intent to apply for space in this central office.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by ACI, be and the same is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Charles A. Hudak, Esquire  
Jeremy D. Marcus, Esquire  
Gerry Friend & Sapronov, LLP  
Three Ravinia Drive  
Suite 1450  
Atlanta, GA 30346-2131

Jeffrey Blumenfeld, Esquire  
Elise P.W. Kiely, Esquire  
Blumenfeld & Cohen  
1615 M Street, NW  
Suite 700  
Washington, DC 20036

DOCUMENT NUMBER-DATE

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FPS-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 19th  
day of January, 1999.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

BK

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, 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

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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.