

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 980947-TL
ORDER NO. PSC-99-0517-PCO-TL
ISSUED: March 16, 1999

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition, Time Warner AxS of Florida, L.P. (Time Warner) has requested permission to intervene in this proceeding. Counsel for Time Warner has advised our staff that Time Warner has expressed to BellSouth an interest in physically collocating in BellSouth central offices in Florida. In its Petition, Time Warner has explained its concern that the action taken in this Docket may become the basis for resolving any future petitions for waiver from the physical collocation requirements. Having reviewed the Petition, we find that it should be granted.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by Time Warner AxS of Florida, L.P., 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:

Peter M. Dunbar, Esq.
Barbara D. Auger, Esq.
Pennington, Moore,
Wilkinson & Dunbar, P.A.
Post Office Box 10095
Tallahassee, FL 32302

Carolyn Marek
Vice President of
Regulatory Affairs
Southeast Region
Time Warner Communications
233 Bramerton Court
Franklin, Tennessee 37069

DOCUMENT NUMBER-DATE

03293 MAR 16 99

FPSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 16th
day of March, 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 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.

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

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Number of Originals 3 Copies Per Original 14
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Item Presented
Agenda For (Date) _____ Order No. 99-517 In Docket No. 980947
Notice of _____ For (Date) _____ In Docket No. _____
Other _____

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March 12, 1999

99 MAR 15 PM 3:28

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *BK MCB*

RE: DOCKET NO. 980947-TL - PETITION FOR WAIVER OF PHYSICAL COLLOCATION REQUIREMENTS SET FORTH IN THE TELECOMMUNICATIONS ACT OF 1996 AND THE FCC'S FIRST REPORT AND ORDER, FOR THE BOCA RATON BOCA TEECA CENTRAL OFFICE, BY BELLSOUTH TELECOMMUNICATIONS, INC.

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Attached is an ORDER GRANTING INTERVENTION, to be issued in the above-referenced docket. (Number of pages in order - 3)

BK/anr
Attachment
cc: Division of Communications
I: 980947tw.bk

1211