

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration  
concerning complaint of The  
Other Phone Company, Inc. d/b/a  
Access One Communications  
against BellSouth  
Telecommunications, Inc.  
regarding breach of resale  
agreement.

DOCKET NO. 990108-TP  
ORDER NO. PSC-99-1584-PCO-TP  
ISSUED: August 12, 1999

ORDER GRANTING CONTINUANCE

On January 29, 1999, The Other Phone Company, Inc. d/b/a Access One Communications (Access One) filed a complaint against BellSouth Telecommunications, Inc. (BellSouth) for breach of their resale agreement. This matter was set for an administrative hearing on August 11, 1999.

On August 11, 1999, Access One and BellSouth filed a Joint Motion for Continuance. In the Joint Motion, the parties indicate that negotiations are underway, and they are hopeful that the negotiations will result in settlement of all issues. The parties also state that they cannot complete these negotiations before the scheduled August 11, 1999, administrative hearing date. The parties believe that in light of the negotiations, the hearing as scheduled would be a waste of the parties' and the Commission's time and resources. Accordingly, Access One and BellSouth request that the hearing be continued to the next available date.

Upon consideration, Access One and BellSouth's request appears reasonable. Therefore, the Joint Motion for Continuance is granted. Accordingly, the Commission should notice a new hearing date as soon as possible with the concurrence of the Commission Chairman.

Based on the foregoing, it is therefore

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that The Other Phone Company, Inc. d/b/a Access One Communications and BellSouth Telecommunications, Inc.'s Joint Motion for Continuance is granted.


DOCUMENT NUMBER-DATE

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PSC-RECORDS/REPORTING

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By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 12th day of August, 1999.

  
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JULIA L. JOHNSON  
Commissioner and Prehearing Officer

( S E A L )

WPC

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

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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.