

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by Orlando Telephone Company for approval of arbitration concerning complaint against Sprint-Florida, Incorporated regarding enforcement of interconnection agreement.

DOCKET NO. 990884-TP
ORDER NO. PSC-00-0292-PCO-TP
ISSUED: February 14, 2000

ORDER CHANGING DATES IN PROCEDURAL ORDER AND
GRANTING SPRINT-FLORIDA'S MOTION TO
ACCEPT LATE-FILED PREHEARING STATEMENT

Change of Certain Dates in Order Establishing Procedure

On July 7, 1999, Orlando Telephone Company (OTC) filed its Complaint for Enforcement of Its Interconnection Agreement with Sprint-Florida, Incorporated (Sprint). On September 16, 1999, Order Establishing Procedure No. PSC-99-1803-PCO-TP was issued, setting the Prehearing Conference for December 20, 1999, and the hearing for January 20, 2000.

OTC's Counsel requested that the hearing be continued due to a conflict in his schedule. Sprint did not object. With the concurrence of the Chairman's office, the hearing is, therefore, rescheduled for August 23, 2000. The prehearing conference is rescheduled for February 28, 2000. Briefs shall be due September 13, 2000.

Sprint-Florida's Motion to Accept Late-Filed Prehearing Statement

On December 9, 1999, Sprint filed a Motion to Accept Late-Filed Prehearing Statement (Motion). In support of its Motion, Sprint asserts that it inadvertently missed the filing date due to heavy workload. Sprint filed the Prehearing Statement concurrently with its Motion and states that counsel for OTC has no objection. Sprint asserts that no party will be materially harmed by the delay in filing and the interests of justice will not be served if Sprint's participation in this docket is not allowed or is impaired by the absence of a Prehearing Statement.

DOCUMENT NUMBER-DATE

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I agree that no party will be harmed by accepting Sprint's late-filed prehearing statement. Upon consideration of the foregoing, I find that it is reasonable to accept Sprint's late-filed Prehearing Statement. Sprint's Motion is, therefore, granted.


It is therefore,

ORDERED by Commissioner J. Terry Deason that the dates for the prehearing conference, hearing, and for filing briefs established in Order No. PSC-99-1803-PCO-TP are changed as stated in the body of this Order. It is further

ORDERED that all other aspects of Order No. PSC-99-1803-PCO-TP are reaffirmed. It is further

ORDERED that Sprint-Florida, Inc.'s Motion to Accept Late-Filed Prehearing Statement is granted.

By ORDER of Commissioner J. Terry Deason as Prehearing Officer, this 14th day of February, 2000.



J. TERRY DEASON
Commissioner and Prehearing Officer

(S E A L)

DWC

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, 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.