

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against BellSouth Telecommunications, Inc. for violation of service standards.

DOCKET NO. 991378-TL  
ORDER NO. PSC-00-1381-PCO-TL  
ISSUED: July 31, 2000

ORDER GRANTING JOINT MOTION FOR CONTINUANCE OF SCHEDULE

On September 10, 1999, this docket was established to require BellSouth Telecommunications, Inc. (BellSouth) to show cause why it should not be fined for failure to meet certain quality of service standards set forth in Chapter 25-4, Florida Administrative Code. On September 17, 1999, the Office of Public Counsel (OPC) filed its Notice of Intervention. At its October 19, 1999, Agenda Conference, the Commission voted to accept BellSouth's offer of settlement and to close the docket upon remittance of a voluntary contribution. The Commission's vote was memorialized by Proposed Agency Action Order No. PSC-99-2207-PAA-TL, issued November 9, 1999. On November 30, 1999, OPC filed a timely protest of the Order, and the matter was set for hearing.

By Order No. PSC-00-1027-PCO-TL, issued May 23, 2000, the procedural requirements and filing schedule were established for this proceeding. Pursuant to that Order, OPC's testimony is due to be filed on July 31, 2000. BellSouth's rebuttal testimony is due on August 31, 2000, and surrebuttal testimony is due September 29, 2000. On July 21, 2000, BellSouth and the OPC filed a Joint Motion for Continuance of the Schedule. Therein, they assert that they are working towards an agreement in this matter and believe that continuing the testimony filing dates will allow them to concentrate their efforts on finding a resolution. They also ask that a scheduling conference be established to decide whether additional dates should be changed.

Based upon the foregoing, I believe it is reasonable to grant the Joint Motion for Continuance of the Schedule in order to allow the parties in this matter additional time to achieve a solution that best benefits the public. In order to maintain procedural structure, a scheduling conference will be set for the purpose of establishing new time guidelines for the resolution of this matter. This conference will be noticed at a later date. Accordingly, the testimony filing dates set forth in Order No. PSC-00-1027-PCO-TL shall be suspended until further notice. All other dates set forth in Order No. PSC-00-1027-PCO-TL remain effective.

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It is, therefore

ORDERED by Chairman J. Terry Deason, as Prehearing Officer, that the July 21, 2000, Joint Motion for Continuance of the Schedule is hereby granted. It is further

ORDERED that a scheduling conference will be noticed at a later date. It is further

ORDERED that Order No. PSC-00-1027-PCO-TL is reaffirmed in all other respects.

By ORDER of Chairman J. Terry Deason as Prehearing Officer, this 31st Day of July, 2000.



J. TERRY DEASON  
Chairman and Prehearing Officer

( 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.

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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.