

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-00-1463-PCO-TP  
ISSUED: August 14, 2000

ORDER GRANTING MOTION TO POSTPONE AND RESCHEDULING HEARING

On July 7, 1999, Orlando Telephone Company (OTC) filed a request for arbitration concerning its complaint against Sprint-Florida, Incorporated (Sprint) regarding the enforcement of their interconnection agreement. On July 28, 1999, Sprint filed its answer. On September 16, 1999, Order No. PSC-99-1803-PCO-TP establishing procedure was issued. In that Order, the hearing date was set for January 20, 2000. By Order No. PSC-00-0292-PCO-TP dated February 14, 2000, the hearing was rescheduled for August 23, 2000. In the meantime, the Prehearing conference was held February 28, 2000.

On July 19, 2000, the parties were notified that the hearing was being moved to August 14, 2000. Notice of the hearing was published in the Florida Administrative Weekly on July 28, 2000. On August 4, 2000, OTC filed a Motion to Postpone and Reschedule Hearing (Motion) from August 14, 2000.

In its Motion, OTC states that one of its witnesses has a conflict that cannot be avoided, and will, therefore, not be available if the hearing is held August 14, 2000. OTC states that one more change to the hearing date will not make a significant difference to the parties and requests a hearing date be set for some time in early fall 2000. Sprint has no objection to this request.

Upon consideration, I find it reasonable to grant OTC's request. None of the parties have stated that they will be harmed by postponing the hearing, therefore, I hereby grant OTC's Motion to Postpone and Reschedule Hearing. The next available hearing date for the assigned panel is December 20, 2000.

DOCUMENT NUMBER-DATE

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FPSO-RECORDS/REPORTING

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It is therefore,


ORDERED by Chairman J. Terry Deason, as Prehearing Officer, that Orlando Telephone Company's Motion to Postpone and Reschedule Hearing is granted. It is further

ORDERED that the hearing is rescheduled for December 20, 2000. It is further

ORDERED that the procedures established in Order No. PSC-99-1803-PCO-TP are reaffirmed in all other respects. It is further

ORDERED that this docket shall remain open pending the disposition of the issues.

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

  
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J. TERRY DEASON  
Commissioner and Prehearing Officer

( S E A L )

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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.