

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into
pricing of unbundled network
elements.

DOCKET NO. 990649-TP
ORDER NO. PSC-00-2145-PCO-TP
ISSUED: November 9, 2000

ORDER GRANTING MOTION FOR EXTENSION OF TIME
TO FILE POST-HEARING BRIEFS

On November 7, 2000, the Florida Competitive Carriers Association (FCCA) filed a Motion for Extension of Time to File Post-Hearing Briefs. FCCA requests an extension of time for the filing of post-hearing briefs until November 21, 2000. In support of its Motion, FCCA states that under the existing schedule, post-hearing briefs are due on November 13, 2000. The briefs in this case will address both Phase I and Phase II of the evidentiary hearings held in this docket. FCCA states that many of the alternative local exchange companies (ALECs) that participated in the hearing process are attempting to coordinate the preparation of their post-hearing briefs in an effort to reduce the number of briefs and eliminate duplicative arguments. FCCA asserts that this coordination process is time consuming. FCCA claims that the extension to November 21, 2000, is sought for the purpose of facilitating the effort of coordinating the briefs.

FCCA argues that it is imperative that there be no delay in the decision of this case and asserts its belief that the present schedule will accommodate the requested extension without affecting the remainder of the procedural milestones. Particularly in view of the fact that the parties joining in the Motion will use the additional time to streamline the decision-making process.

Finally, FCCA states that it consulted the representatives of AT&T Communications of the Southern States, Inc., MCI WorldCom, Inc., Covad Communications Company, BlueStar Networks, Inc., Florida Cable Telecommunications Associations, Z-Tel Communications, Inc., Intermedia Communications, Inc., Broadslate Networks of Florida, Inc., Cleartel Communications, Inc., and Florida Digital Network who join and support this Motion. FCCA also contacted Sprint-Florida, Incorporated (Sprint) and BellSouth Telecommunications, Inc. (BellSouth) and represents Sprint does not oppose the Motion. BellSouth opposes the Motion if it would have

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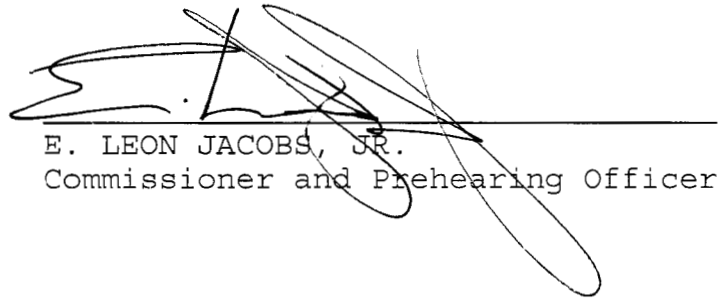
if the granting of the Motion would have no impact on the decision date, BellSouth does not oppose the requested extension.

Upon consideration, I find that granting the extension of time to file post-hearing briefs will promote administrative efficiency in the post-hearing process because the extension of time will give the parties the opportunity to streamline and consolidate their responses to the issues. Moreover, I find that because all of the parties concur in the Motion and no one will be adversely affected, it is reasonable to grant the Motion. Finally, it appears that Commission staff will not be adversely affected by this extension, nor will other procedural dates need to be modified. Based upon the foregoing, I grant FCCA's Motion for Extension of Time to File Post Hearing Briefs until November 21, 2000.

Based on the foregoing, it is

ORDERED by E. Leon Jacobs, Jr. as Prehearing Officer, that the Florida Competitive Carriers Association's Motion for Extension of Time to file Post Hearing Briefs is granted.

By ORDER of Commissioner E. Leon Jacobs, Jr. as Prehearing Officer, this 9th day of November, 2000.



E. LEON JACOBS, JR.
Commissioner and Prehearing Officer

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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.