

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Global NAPS,
Inc. for arbitration of
interconnection rates, terms and
conditions and related relief of
proposed agreement with
BellSouth Telecommunications,
Inc.

DOCKET NO. 991220-TP
ORDER NO. PSC-00-2343-PCO-TP
ISSUED: December 7, 2000

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
E. LEON JACOBS, JR.
LILA A. JABER
BRAULIO L. BAEZ

ORDER GRANTING JOINT MOTION FOR EXTENSION OF TIME

BY THE COMMISSION:

On August 26, 1999, Global NAPs, Inc. (GNAPs) filed a petition for arbitration of an interconnection agreement with BellSouth Telecommunications, Inc. (BellSouth) under Section 252(b) of the Telecommunications Act of 1996 (the "Act"). On September 20, 1999, BellSouth timely filed its Response to the petition.

An administrative hearing was held on June 7, 2000. By Order No. PSC-00-1680-FOF-TP, issued September 19, 2000, the Commission rendered its final decision on arbitration. On October 4, 2000, both Global NAPs and BellSouth filed Motions for Reconsideration and on October 16, 2000, both parties filed their Responses to the Motions. On October 18, 2000, BellSouth and Global NAPs jointly filed their Agreed Motion for Extension of Time (Agreed Motion).

The Commission has jurisdiction to decide this matter pursuant to Section 120.569, Florida Statutes.

BellSouth and GNAPs state that in the Final Order on Arbitration No. PSC-00-1680-FOF-TP, the Commission ordered the

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parties to submit a signed agreement compliant with its decision within 30 days of the issuance of the Order. BellSouth and GNAPs state that due to the pending motions for reconsideration filed by both parties, BellSouth and GNAPs believe it would be appropriate to extend the time for filing a new interconnection agreement until 30 days after the Commission has ruled on those motions.

We agree that the parties should not file an entire agreement when certain issues remain subject to reconsideration by this Commission. Upon consideration, we grant BellSouth Telecommunications, Inc. and Global NAPs, Inc.'s Agreed Motion for Extension of Time to file a signed agreement within 30 days of the issuance of the Final Order on Reconsideration.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc. and Global NAPs, Inc.'s Agreed Motion for Extension of Time to file a signed agreement within 30 days of the issuance of the Final Order on Reconsideration is hereby granted. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission this 7th day of December, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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.