

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies.

DOCKET NO. 000121-TP
ORDER NO. PSC-01-0368-PCO-TP
ISSUED: February 12, 2001

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition, DIECA Communications Company d/b/a Covad Communications Company (Covad) has requested permission to intervene in this proceeding. Covad states that it provides high-speed Internet and network access utilizing digital subscriber line (DSL) technology. In providing this service, it must purchase unbundled network elements (UNEs) from incumbent local exchange carriers, such as BellSouth, GTE, and Sprint, and must provision those UNEs through use of the incumbent local exchange carriers' operations support systems (OSS). Thus, Covad states that any decision in this case on performance metrics will substantially affect Covad's interests.

Upon review of the Petition, it appears that Covad's substantial interests may be affected by this proceeding. As a provider of DSL in Florida, Covad states that it must utilize the operations support systems of ILECs to purchase UNEs from the ILECs. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, Covad takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by DIECA Communications Company d/b/a Covad Communications Company, be and the same is hereby granted. It is further

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING


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ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Ms. Catherine F. Boone
Covad Communications Company
10 Glenlake Parkway, Suite 650
Atlanta, Georgia 30328-3495

Vicki Gordon Kaufman, Esquire
McWhirter, Reeves, McGlothlin, Davidson,
Decker, Kaufman, Arnold & Steen, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301

By ORDER of the Florida Public Service Commission, this 12th
day of February, 2001.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

JKF

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.

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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.