

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by ITC^DeltaCom  
Communications, Inc. d/b/a  
ITC^DeltaCom for arbitration of  
certain unresolved issues in  
interconnection negotiations  
between ITC^DeltaCom and  
BellSouth Telecommunications,  
Inc.

DOCKET NO. 990750-TP  
ORDER NO. PSC-01-0423-PCO-TP  
ISSUED: February 22, 2001

The following Commissioners participated in the disposition of  
this matter:

E. LEON JACOBS, JR., Chairman

ORDER GRANTING SECOND EXTENSION OF TIME  
TO FILE AGREEMENT

BY THE COMMISSION:

On June 11, 1999, ITC^DeltaCom Communications, Inc., d/b/a ITC^DeltaCom (DeltaCom) filed a Petition for Arbitration pursuant to Section 252(b) of the Telecommunications Act of 1996 (Act) seeking arbitration of certain unresolved issues in the interconnection negotiations between DeltaCom and BellSouth Telecommunications, Inc. (BellSouth). On July 6, 1999, BellSouth filed its response.

An administrative hearing on the issues was held October 27-29, 1999. Subsequent to the hearing, the parties filed a Joint Motion of the Parties Notifying the Commission of Recently Resolved Issues, by which additional issues were removed from this arbitration proceeding. On March 15, 2000, the final order on arbitration, Order No. PSC-00-0537-FOF-TP, (Final Order) was issued.

On November 22, 2000, the final order resolving BellSouth's Motion for Reconsideration, as well as other procedural motions, Order No. PSC-00-2233-FOF-TP, was issued. Among other things, this Order required the agreement to be filed within 20 days of the date the Order was issued. On December 12, 2000, the parties filed an

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PSC RECORDS/REPORTING

Agreed Motion for Extension of Time. This Motion was granted by Order No. PSC-01-0129-PCO-TP, issued January 17, 2001. On January 11, 2001, DeltaCom and BellSouth filed a Second Agreed Motion for Extension of Time. This Order addresses that motion.

In support of their Motion, DeltaCom and BellSouth state that they are still in the process of finalizing the interconnection agreement, and therefore, request that the Commission grant an extension of time to February 12, 2001, for filing the interconnection agreement.


Because the parties have agreed to this extension and it appears no interests will be harmed by the granting of the extension, the requested extension is hereby granted. It is noted that our records reflect that the agreement was filed on February 12, 2001.

It is therefore

ORDERED by the Florida Public Service Commission that the Second Agreed Motion for Extension of Time filed by ITC^DeltaCom Communications, Inc., d/b/a ITC^DeltaCom and BellSouth Telecommunications, Inc. is hereby granted. It is further

ORDERED that this docket shall remain opening pending approval of the final arbitration agreement.

By ORDER of the Florida Public Service Commission this 22nd Day of February, 2001.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( 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.