

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-01-0553-PCO-TP
ISSUED: March 12, 2001

ORDER GRANTING INTERVENTION

By Petition, Mpower Communications Corp. (Mpower) has requested permission to intervene in this proceeding. Mpower states that it is a certified alternative local exchange carrier in Florida and must utilize the operations support systems (OSS) of incumbent local exchange carriers (ILEC) in order to provide local exchange service. Mpower states that the establishment of comprehensive and effective performance measures are essential to ensure that it receives nondiscriminatory access to OSS systems. Thus, Mpower states that its substantial interests are affected by the outcome of this proceeding.

Having reviewed the Petition, it appears that Mpower's substantial interests may be affected by this proceeding. Mpower states that the establishment of comprehensive and effective performance measures are essential to ensure that it receives nondiscriminatory access to OSS systems. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, Mpower takes the case as it finds it.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by Mpower Communications Corp. be and the same is hereby granted. It is further

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:

John Kerkorian
Mpower Communications Corp.
5607 Glenridge Drive
Suite 300
Atlanta, Georgia 30342

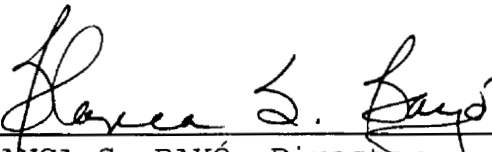
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By ORDER of the Florida Public Service Commission this 12th
day of March, 2001.



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

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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.