

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning complaint of TCG South Florida and Teleport Communications Group against BellSouth Telecommunications, Inc. for breach of terms of interconnection agreement.

DOCKET NO. 001810-TP
ORDER NO. PSC-01-1002-PCO-TP
ISSUED: April 23, 2001

ORDER GRANTING MOTION FOR EXTENSION OF TIME
TO FILE DIRECT TESTIMONY AND
REVISING ORDER ESTABLISHING PROCEDURE

On December 20, 2000, TCG South Florida and Teleport Communications Group (TCG) filed a complaint against BellSouth Telecommunications, Inc. (BellSouth) alleging that BellSouth has failed to pay reciprocal compensation for Internet bound traffic and switched access charges for intraLATA toll traffic originated and terminated by TCG under the terms of the Second BellSouth/TCG Agreement. On January 9, 2001, BellSouth filed its response to TCG's complaint. By Order No. PSC-01-0833-PCO-TP, issued March 30, 2001, (Order Establishing Procedure), this matter has been scheduled for an administrative hearing on June 22, 2001.

Pursuant to Order No. PSC-01-0833-PCO-TP, direct testimony and exhibits were required to be filed by April 19, 2001. On April 17, 2001, TCG filed its Motion for Extension of Time to File Direct Testimony. In support of its Motion, TCG states that it is unable to file its direct testimony by April 19, 2001, because of the resignation of Greg Follensbee, the former Director of Law and Government Affairs for AT&T's Southern Region. TCG asserts that Mr. Follensbee was the witness designated by it to file direct testimony in this docket as AT&T acquired TCG in 1998. TCG states that due to Mr. Follensbee's departure, TCG is required to file its direct testimony through another witness. TCG asserts that it is currently in the process of preparing direct testimony and requests a one week extension to file its direct testimony and exhibits.

Furthermore, TCG requests that the filing dates for rebuttal testimony and prehearing statements as established by Order No. PSC-01-0833-PCO-TP, be extended from May 16, 2001, and May 21, 2001, to May 18, 2001, and May 23, 2001, respectively. TCG also states that it has no objection to BellSouth being granted an

DOCUMENT NUMBER-DATE

05040 APR 23 01

FPSC REPORTS REPORTING

equivalent extension of time for filing direct testimony, rebuttal testimony, and prehearing statements. Neither BellSouth nor staff object to the Motion.

Based on the foregoing, it is appropriate to modify the controlling dates for this docket. Therefore, the dates set forth in the Order Establishing Procedure, Order No. PSC-01-0833-PCO-TP, are modified as follows:

- | | |
|---|----------------|
| 1) Direct testimony
and exhibits, if any | April 26, 2001 |
| 2) Rebuttal testimony
and exhibits | May 18, 2001 |
| 4) Prehearing Statements | May 23, 2001 |

Except as modified herein, Order No. PSC-01-0833-PCO-TP is affirmed in all other respects.

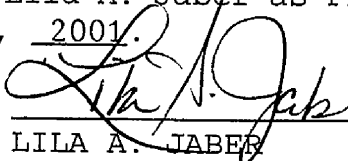
Based on the foregoing, it is

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that TCG South Florida and Teleport Communications Group's Motion for Extension of Time to File Direct Testimony is hereby granted. It is further

ORDERED that Order No. PSC-01-0833-PCO-TP, issued March 30, 2001, is modified as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-01-0833-PCO-TP is hereby affirmed in all other respects.

By ORDER of Commissioner Lila A. Jaber as Prehearing Officer, this 23rd day of April, 2001.



LILA A. JABER
Commissioner and Prehearing Officer

(S E A L)
PAC

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.