

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Consideration of
BellSouth Telecommunications,
Inc.'s entry into interLATA
services pursuant to Section 271
of the Federal
Telecommunications Act of 1996.

DOCKET NO. 960786-TL
ORDER NO. PSC-01-1029-PCO-TL
ISSUED: April 26, 2001

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition, ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom (ITC^DeltaCom) has requested permission to intervene in this proceeding. ITC^DeltaCom asserts that it is certificated as an alternative local exchange telecommunications provider (ALEC) in Florida, and as such, it utilizes BellSouth's operations support systems to provide local service. Therefore, ITC^DeltaCom contends that the decisions in this Docket will affect the company's substantial interests.

Having reviewed the Petition, it appears that ITC^DeltaCom's substantial interests may be affected by this proceeding, because it is an ALEC operating in this state and doing business with BellSouth. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, ITC^DeltaCom 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 ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom 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:

Nanette Edwards, Director
Regulatory Advocacy & Sr. Atty.
ITC^DeltaCom
4092 S. Memorial Parkway
Huntsville, AL 35802

DOCUMENT NUMBER-DATE

05210 APR 26 2001

PSC-RECORDED-REPORTING

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By ORDER of the Florida Public Service Commission, this 26th
day of April, 2001.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(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.

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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.