

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-01-1291-PCO-TL
ISSUED: June 13, 2001

ORDER MODIFYING ORDER ON STATUS CONFERENCE AND UPDATING PROCEDURE

Part II of the Federal Telecommunications Act of 1996 (the Act), P.L. 104-104, 104th Congress 1996, provides for the development of competitive markets in the telecommunications industry. Part III of the Act establishes special provisions applicable to the Bell Operating Companies (BOCs). In particular, BOCs must apply to the FCC for authority to provide interLATA service within their in-region service areas. The FCC must consult with the Attorney General and the appropriate state commission before making a determination regarding a BOC's entry into the interLATA market. See Subsections 271(d)(2)(A) and (B). With respect to state commissions, the FCC is to consult with them to verify that the BOC has complied with the requirements of Section 271(c) of the Act.

On June 28, 1996, we opened this docket to begin to fulfill our consultative role on the eventual application of BellSouth Telecommunications, Inc. for authority to provide in-region interLATA service.

On March 6, 2001, BellSouth filed a Motion to Request Scheduling Conference. Therein, BellSouth indicated that it believed that the schedule to address whether BellSouth has now met the requirements Section 271 should be expedited. Therefore, BellSouth requested a scheduling conference to further discuss the matter. No responses to the motion were filed.

On March 28, 2001, a status conference was conducted with all of the parties. After consideration of the arguments of the parties regarding the scheduling of this proceeding, Order No. PSC-01-0832-PCO-TL, was issued setting forth the procedure and

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controlling dates for this Docket. Therein, the prehearing conference was set for September 20, 2001. Since the issuance of that Order, however, Commission calendar changes have necessitated that the prehearing conference be rescheduled for September 17, 2001.

In addition, Order No. PSC-01-0832-PCO-TL set forth the procedure for discovery in this proceeding. In view of the complexity and magnitude of this Docket, it now appears appropriate to modify that procedure in order to reduce delay and further our staff's ability to analyze the information in this Docket. Therefore, parties shall be required to serve Commission staff with copies of any discovery requests or responses served in this docket.

It is therefore

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that the prehearing conference date and the discovery procedure set forth in Order No. PSC-01-0832-PCO-TL are modified as set forth in the body of this Order. It is further

ORDERED that Order No. PSC-01-0832-PCO-TL is affirmed in all other respects.

By ORDER of Commissioner J. Terry Deason as Prehearing Officer, this 13th day of June, 2001.

A handwritten signature in black ink, appearing to read "J. Terry Deason", is written over a horizontal line.

J. TERRY DEASON
Commissioner and Prehearing Officer

(S E A L)

FRB

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.

M E M O R A N D U M

June 5, 2001

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (BANKS) *FRB*

RE: DOCKET NO. 960786-TL - CONSIDERATION OF BELLSOUTH
TELECOMMUNICATIONS, INC.'S ENTRY INTO INTERLATA SERVICES
PURSUANT TO SECTION 271 OF THE FEDERAL TELECOMMUNICATIONS
ACT OF 1996.

Attached is an ORDER MODIFYING ORDER ON STATUS CONFERENCE AND
UPDATING PROCEDURE, to be issued in the above-referenced docket.
(Number of pages in order - 2)

DATE ORDER SENT ELECTRONICALLY TO RECORDS

6/13/01.

FRB/anc
Attachment
ec:Della Fordham
I:960786md.frb