

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 Telecommuni-  
cations Act of 1996. (Hearing)

DOCKET NO. 960786A-TL  
ORDER NO. PSC-01-2019-PCO-TL  
ISSUED: October 9, 2001

ORDER GRANTING WORLDCOM'S MOTION FOR LEAVE  
TO FILE SUPPLEMENTAL REBUTTAL TESTIMONY

This docket was opened for the Commission to perform its consultative role under subsections 271(d)(2)(A) and (B) of the Federal Telecommunications Act of 1996 (the Act) to recommend whether BellSouth Telecommunications, Inc. (BellSouth) should be authorized to provide in-region interLATA service. A hearing on BellSouth's application is currently scheduled to commence October 11, 2001.

On October 5, 2001, WorldCom, Inc. and its operating subsidiaries (WorldCom) filed a Motion for Leave to File Supplemental Rebuttal Testimony in which it seeks permission to file supplemental rebuttal testimony for its witness Greg Darnell. The purpose of the supplemental testimony is to inform the Commission of two recent events that occurred since Mr. Darnell prefiled his rebuttal testimony on July 20, 2001. Specifically, Mr. Darnell wishes to address the effect of the Commission's decision to reinstate inflation factors on October 2, 2001, in Docket No. 990649-TP - Investigation into Pricing of Unbundled Network Elements. In addition, Mr. Darnell seeks to address BellSouth's Daily Usage Files that were just updated.

BellSouth states that it does not object to WorldCom's motion as long as its witness Daonne Caldwell is allowed to respond to Mr. Darnell's supplemental rebuttal testimony in the oral summary of her prefiled testimony on the witness stand. BellSouth does not seek to prefile responsive supplemental testimony.

Having reviewed the pleadings and considered the arguments raised by the parties, I find that WorldCom's motion to file supplemental rebuttal testimony for Mr. Greg Darnell shall be

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granted. BellSouth's witness Ms. Daonne Caldwell shall be allowed to address Mr. Darnell's supplemental testimony from the witness stand in her oral summary of her prefiled testimony. Granting WorldCom's motion enables the Commission to consider the most up-to-date information in performing its consultative role under the Act.

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason as Prehearing Officer, that WorldCom, Inc.'s Motion for Leave to File Supplemental Rebuttal Testimony is hereby granted.

By ORDER of Commissioner J. Terry Deason as Prehearing Officer, this 9th day of October, 2001.

  
J. TERRY DEASON  
Commissioner and Prehearing Officer

( 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.

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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 the Commission Clerk and Administrative Services, 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.