

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into
allegations of anti-competitive
behaviors and practices of
Sprint-Florida, Incorporated.

DOCKET NO. 011075-TL
ORDER NO. PSC-01-2117-PCO-TL
ISSUED: October 26, 2001

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition, ITC^DeltaCom Communications, Inc. (ITC^DeltaCom) has requested permission to intervene in this proceeding. ITC^DeltaCom is a certificated alternative local exchange services provider (ALEC) in Florida. Accordingly, ITC^DeltaCom is subject to the rules, regulations, and orders of the Commission, which impact ITC^DeltaCom in the provision of telecommunications services in Florida and ITC^DeltaCom's ability to compete. As such, ITC^DeltaCom argues that it has a substantial interest in ensuring that anticompetitive practices in the Florida telecommunications market are eliminated.

Having reviewed the Petition, it appears that ITC DeltaCom's substantial interests may be affected by this proceeding because it is a certificated Florida ALEC. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, ITC^DeltaCom 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 ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom, is granted. It is further

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FPSC-COMMISSION CLERK

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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 of Regulatory Advocacy and Senior Attorney
ITC^DeltaCom
4092 S. Memorial Parkway
Huntsville, AL 35802

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

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(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 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.