

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

In re: Investigation into allegations of anti-competitive behaviors and practices of Verizon Florida Inc.

DOCKET NO. 011076-TL

In re: Investigation into allegations of anti-competitive behaviors and practices of BellSouth Telecommunications, Inc.

DOCKET NO. 011077-TL
ORDER NO. PSC-01-2284-PCO-TL
ISSUED: November 20, 2001

ORDER CONSOLIDATING PROCEEDINGS AND MODIFYING DOCKET TITLE

Section 364.01(4)(g), Florida Statutes, requires this Commission to "[e]nsure that all providers of telecommunications services are treated fairly, by preventing anticompetitive behavior and eliminating unnecessary regulatory restraint." Therefore, on August 10, 2001, we opened these Dockets to investigate competitive market practices in the local exchange market in an effort to determine whether local exchange carriers have engaged in practices that may hinder market penetration by other incumbent or alternative local exchange carriers. Over the past few months, as our staff's investigation has developed and as interveners have joined the cases, it has become apparent that it is entirely inefficient and impractical to handle the issues anticipated to be addressed in these proceedings through three separate, cumbersome Dockets. Furthermore, the scope of the matters to be considered is somewhat unclear based upon the current titles of these Dockets. Therefore, it is appropriate at this time to consolidate Dockets Nos. 011075-TL, 011076-TL, and 011077-TL for purposes of administrative efficiency. This should reduce unnecessary repetition among the Dockets, and to some extent, should reduce the time and financial commitment expended by parties that had originally anticipated participating in all three Dockets. With that consideration in mind, anyone that had already requested intervention in any of the original Dockets does not need to seek intervention in this consolidated Docket in order to participate as a party.

DOCUMENT NUMBER-DATE

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FPSC-CC. JUDITH CLERK

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Because these Dockets will now be consolidated, it is appropriate, for purposes of clarity and efficiency, to close Dockets Nos. 011075-TL and 011076-TL and to rename the remaining Docket No. 011077-TP as follows: Generic Investigation into Whether Competitive Practices of Incumbent and Alternative Local Exchange Carriers Comply with Section 364.01(4)(g), Florida Statutes. This new title better defines the scope of this proceeding at the outset, which should reduce confusion and unnecessary motion practice as these proceedings develop.

Finally, our staff has indicated that they will be addressing specific concerns identified on a case-by-case basis through a variety of means, including proposed agency action, mediation, and/or rulemaking proceedings. Therefore, the hearings prematurely scheduled in these Dockets will be cancelled until further notice. Staff is, however, directed to proceed expeditiously with the above-referenced proceedings.

Pursuant to Rule 28-106.211, Florida Administrative Code, this Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case.

It is therefore

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that Dockets Nos. 011075-TL, 011076-TL, and 011077-TL are hereby consolidated as set forth herein. It is further

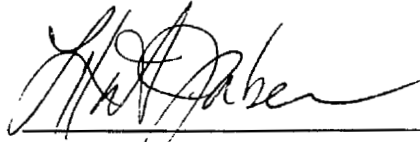
ORDERED that Dockets Nos. 011075-TL and 011076-TL shall be closed as a result of the consolidation. It is further

ORDERED that Docket No. 011077-TP shall be renamed Generic Investigation into Whether Competitive Practices of Incumbent and Alternative Local Exchange Carriers Comply with Section 364.01(4)(g), Florida Statutes. It is further

ORDERED that the schedule for Docket No. 011077-TP shall be established at a later date pending further review as set forth in the body of this Order.

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By ORDER of Commissioner Lila A. Jaber, as Prehearing Officer,
this 20th Day of November, 2001.



LILA A. JABER
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.

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

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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.