

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Citizens of State of Florida for investigation of Talk America Inc. and its affiliate, The Other Phone Company, Inc. d/b/a Access One Communications, for willful violation of Rule 25-4.118, F.A.C.

DOCKET NO. 010409-TP

In re: Investigation of possible violation of Commission Rules 25-4.118 and 25-24.110, F.A.C., or Chapter 364, F.S., by The Other Phone Company, Inc. d/b/a Access One Communications, holder of ALEC Certificate No. 4099, and Talk America Inc., holder of ALEC Certificate No. 4692.

DOCKET NO. 010564-TX
ORDER NO. PSC-02-0824-PCO-TP
ISSUED: June 17, 2002

ORDER GRANTING UNOPPOSED MOTION TO SUSPEND HEARING,
PREHEARING AND KEY ACTIVITIES DATES

On June 14, 2002, the Commission staff filed a Motion to Suspend the Hearing, Prehearing, and Key Activities Dates in the above-styled case. (Motion) Staff noted that on June 11, 2002, Talk America filed an Offer of Settlement. Staff further noted that

[s]uspending the key activities date, along with the hearing and pre-hearing dates, would allow the parties to focus their resources on settlement discussions.

Motion, p. 3.

For the purpose of considering the Offer of Settlement, and to engage in such settlement discussions as may be necessary, it is appropriate to suspend the litigation deadlines previously scheduled, as requested in staff's unopposed Motion.

In view of the above, it is

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ORDERED by Commissioner Rudolph "Rudy" Bradley as Prehearing Officer that staff's Motion to Suspend the Hearing, Prehearing, and Key Activities Dates is granted. It is further

ORDERED that these dockets remain open.

By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this 17th day of June, 2002.



RUDOLPH "RUDY" BRADLEY
Commissioner and Prehearing Officer

(S E A L)

RCB

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

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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.