

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of ALEC, Inc.
for enforcement of
interconnection agreement with
Sprint-Florida, Incorporated and
request for relief.

DOCKET NO. 020099-TP
ORDER NO. PSC-02-0839-PCO-TP
ISSUED: June 18, 2002

ORDER GRANTING SPRINT-FLORIDA, INCORPORATED'S MOTION FOR
EXTENSION OF TIME TO FILE REBUTTAL TESTIMONY

By Order No. PSC-02-0594-PCO-TP, issued May 1, 2002, the key activity dates for this proceeding were established. That Order was subsequently amended by Order No. PSC-02-0774-PCO-TP, issued June 10, 2002, to reflect the shortening of the time for responding to discovery to 20 days from the date of service to allow the parties an opportunity for a second round of discovery.

On June 14, 2002, Sprint-Florida, Incorporated (Sprint) filed its Motion for Extension of Time to File Rebuttal Testimony. In the Motion, Sprint requests a one-week extension of time, until June 28, 2002, to file its rebuttal testimony. In support of its Motion, Sprint states that, with the shortened time frame for discovery responses, the parties will receive discovery responses on June 20, 2002, the day before rebuttal testimony is currently scheduled to be filed. The one-week extension will give Sprint sufficient time to review discovery responses prior to finalizing its rebuttal testimony. Sprint states that the one-week extension to file rebuttal testimony will not affect any of the other dates set forth in the Procedural Order. Currently, prehearing statements are due on July 8, 2002, the prehearing is scheduled for July 22, 2002, and the hearing is scheduled for August 7, 2002. In addition, Sprint contends that under the expedited discovery schedule, parties will have sufficient time to conduct a second round of discovery subsequent to the filing of rebuttal testimony on June 28, 2002. Sprint has consulted with ALEC, Inc. (ALEC), the other party in this proceeding, and ALEC has agreed with the one-week extension.

Sprint has timely filed its request for extension of time. Further, Sprint has stated good cause for granting the extension of time. Therefore, upon consideration, I find it appropriate to

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grant Sprint's Motion for Extension of Time to File Rebuttal Testimony. The parties shall have a one-week extension, until June 28, 2002, in which to file rebuttal testimony.

Based on the foregoing, it is

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that Sprint-Florida, Incorporated's Motion for Extension of Time to File Rebuttal Testimony, is hereby granted. Sprint-Florida, Incorporated shall have until June 28, 2002 to file rebuttal testimony. It is further

ORDERED that Order No. PSC-02-0594-PCO-TP is modified as set forth herein. It is further

ORDERED that Order No. PSC-02-0594-PCO-TP, as amended by Order No. PSC-02-0774, is reaffirmed in all other respects.

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 18th Day of June, 2002.



BRAULIO L. BAEZ

Commissioner and Prehearing Officer

(S E A L)

LHD

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.