

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition of US LEC of Florida, Inc., Time Warner Telecom of Florida, L.P., and ITC^DeltaCom Communications objecting to and requesting suspension of proposed CCS7 Access Arrangement tariff filed by BellSouth Telecommunications, Inc.

DOCKET NO. 020129-TP
ORDER NO. PSC-02-0930-PCO-TP
ISSUED: July 11, 2002

ORDER GRANTING MOTION FOR LEAVE TO FILE
DIRECT TESTIMONY AND EXHIBITS OUT OF TIME

On January 18, 2002, BellSouth Telecommunications, Inc. (BST) filed a tariff with this Commission introducing the CCS7 Access Arrangement. This tariff filing also restructures the offering for Commercial Mobile Radio Service (CMRS) providers, and directs them to the equivalent CCS7 Access Arrangement available in the Access Services Tariff. Further, as part of this filing, local switching rates have been reduced to reflect the introduction of charges for intrastate CCS7 usage. The tariff filing went into effect on February 17, 2002.

On February 15, 2002, US LEC of Florida, Inc., Time Warner Telecom of Florida, L.P., and ITC^DeltaCom Communications (Petitioners) filed a Joint Petition objecting to and requesting suspension of the CCS7 Access Arrangement Tariff filed by BST, and requesting that this Commission schedule a formal administrative hearing to address the issues raised in its Petition. On March 22, 2002, BST filed its response to the Petition. This matter was set for an administrative hearing by this Commission by Order No. PSC-02-0739-PCO-TP, issued May 31, 2002.

Order No. PSC-02-0853-PCO-TP, issued June 21, 2002, established July 1, 2002, as the deadline for filing direct testimony and exhibits in this docket. On July 2, 2002, MCI WorldCom Communications, Inc. (WorldCom) and MCImetro Access Transmission Services, LLC (MCImetro) filed a motion for leave to file direct testimony and exhibits out of time. Due to computer

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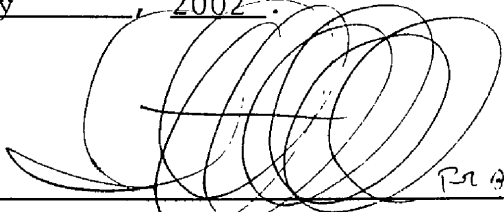
problems, WorldCom and MCI Metro Access state they were unable to file with the Commission their direct testimony and exhibits until July 2, 2002. They further state that no parties have been prejudiced by the filing delay as all parties were timely served copies of the direct testimony and exhibits on July 1, 2002. No objections to this motion were filed with the Commission.

Upon consideration, WorldCom and MCI Metro's Motion for Leave to File Direct Testimony and Exhibits Out of Time is granted.

Based on the foregoing, it is

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that MCI WorldCom Communications, Inc. and MCI Metro Access Transmission Services, LLC's Motion for Leave to File Direct Testimony and Exhibits Out of Time is hereby granted.

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 11th day of July, 2002.



BRAULIO L. BAEZ
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

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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.