

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.'s service territory.

DOCKET NO. 981834-TP

In re: Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for generic investigation to ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and GTE Florida Incorporated comply with obligation to provide alternative local exchange carriers with flexible, timely, and cost-efficient physical collocation.

DOCKET NO. 990321-TP
ORDER NO. PSC-03-0019-PCO-TP
ISSUED: January 3, 2003

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition, Florida Digital Network, Inc. ("Florida Digital") has requested permission to intervene in this proceeding. Florida Digital asserts that it is a duly certified alternative local exchange telecommunications carrier (ALEC) in Florida. As such, Florida Digital is subject to the rules, regulations and orders of the Commission, and such rules, regulations and orders impact Florida Digital's ability to provide local exchange telecommunications service in the state of Florida. Florida Digital further asserts that it has both physical and virtual collocation arrangements with BellSouth, Verizon and Sprint in Florida and the decisions this Commission makes in this proceeding will have a direct impact on Florida Digital.

Having reviewed the Petition, it appears that Florida Digital's substantial interests may be affected by this proceeding, because it is a certificated ALEC with collocation arrangements in Florida. Therefore, the Petition shall be granted. Pursuant to

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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Rule 25-22.039, Florida Administrative Code, Florida Digital takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by Florida Digital Network, Inc. is hereby granted. It is further

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:

Matthew Feil
Florida Digital Network, Inc.
390 North Orange Avenue, Suite 2000
Orlando, FL 32801
(407) 835-0460
mfeil@floridadigital.net

By ORDER of the Florida Public Service Commission this 3rd Day of January, 2003.

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.