

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for arbitration  
of open issues resulting from  
interconnection negotiations  
with Verizon Florida Inc. by  
DIECA Communications, Inc. d/b/a  
Covad Communications Company.

DOCKET NO. 020960-TP  
ORDER NO. PSC-03-0155-PCO-TP  
ISSUED: January 30, 2003

ORDER GRANTING JOINT MOTION TO CONTINUE HEARING

Pursuant to a Petition by DIECA Communications, Inc. d/b/a Covad Communications Company (Covad) for arbitration of unresolved issues in an agreement with Verizon Florida Inc. (Verizon), this matter was set for an administrative hearing by Order No. PSC-02-1589-PCO-TP, issued November 15, 2002. The hearing was set for April 16-18, 2003.

On January 24, 2003, the parties filed a Joint Motion to Continue Hearing. In said Motion, the parties advise that the established dates coincide with the first night of the holiday of Passover and present a substantial conflict for counsel for Verizon.

Counsel for both parties have advised that they are available to appear on May 14 and 15, 2003. Counsel for both parties are also in agreement that a two-day hearing will be sufficient to address the open issues in the proceeding. Additionally, our staff concurs in the representations of the parties. Accordingly, I find that the joint request is reasonable and will not cause prejudice to any party.

Based upon the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that the Joint Motion to Continue Hearing is hereby granted. It is further

ORDERED that the new dates for the Hearing in this matter shall be May 14 and 15, 2003, with a Prehearing on April 21, 2003. It is further

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ORDERED that all other provisions of Order No. PSC-02-1589-PCO-TP are hereby reaffirmed.

By ORDER of Commissioner J. Terry Deason as Prehearing Officer, this 30th Day of January, 2003.

  
J. TERRY DEASON  
Commissioner and Prehearing Officer

( S E A L )

LF

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.