

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning complaint of AT&T Communications of the Southern States, LLC, Teleport Communications Group, Inc., and TCG South Florida for enforcement of interconnection agreements with BellSouth Telecommunications, Inc.

DOCKET NO. 020919-TP
ORDER NO. PSC-03-0737-PCO-TP
ISSUED: June 20, 2003

ORDER GRANTING AN EXTENSION OF TIME TO FILE BRIEFS
AND FIRST ORDER MODIFYING THE ORDER ESTABLISHING PROCEDURE

On August 26, 2002, AT&T Communications of the Southern States, LLC (AT&T), Teleport Communications Group, Inc., and TCG South Florida (collectively, AT&T) filed its complaint against BellSouth Telecommunications, Inc. (BellSouth) for enforcement of certain provisions of their interconnection agreements. On September 20, 2002, BellSouth filed its response to AT&T's Complaint. An administrative hearing was held on May 7, 2003.

By Order No. PSC-02-1652-PCO-TP, issued November 26, 2002 (Order Establishing Procedure), the hearing date, prehearing date, and other key activities dates were established. In the Order Establishing Procedure, June 23, 2003, was set as the brief filing date. On June 11, 2003, BellSouth filed its Motion for Extension of Time requesting an extension of ten (10) days until July 3, 2003, for the parties to file their Post-Hearing Briefs.

In support of its Motion, BellSouth states that because of other work commitments, BellSouth needs an additional ten (10) days to file its Post-Hearing Brief. BellSouth asserts that neither the parties nor staff would be prejudiced by a ten (10) day extension of time since the recommendation is not due to be filed until September 4, 2003. BellSouth states in its Motion that AT&T does not object to its request and that the ten (10) day extension should apply equally to AT&T. Further, I note that our staff has no objection to the motion.

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ORDER NO. PSC-03-0737-PCO-TP
DOCKET NO. 020919-TP
PAGE 2


For the reasons indicated by BellSouth above, BellSouth has stated good cause for granting the Motion for Extension of Time. Thus, the Motion for Extension of Time shall be granted. Accordingly, Post-Hearing Brief filing date is July 3, 2003. Except as modified herein, Order No. PSC-02-1652-PCO-TP is reaffirmed in all other respects.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc.'s Motion for Extension of Time requesting an extension of ten (10) days until July 3, 2003, for the parties to file their Post-Hearing Briefs is hereby granted. It is further

ORDERED that Order No. PSC-02-1652-PCO-TP is hereby reaffirmed in all other respects.

By ORDER of Commissioner J. Terry Deason as Prehearing Officer, this 20th day of June, 2003.



J. TERRY DEASON
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

ORDER NO. PSC-03-0737-PCO-TP

DOCKET NO. 020919-TP

PAGE 3

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; or (2) 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.