

FDN of select assets belonging to Mpower and what the appropriate process and charges should be for transferring assets.

Subsequently, on May 14, 2003, Comcast filed a Response to BellSouth's Opposition to Comcast's Petition to Intervene. In its Response, Comcast states that BellSouth's reference in its Response to "industry standards" and the "Telecordia White Paper" regarding carrier codes demonstrates BellSouth's attempt to sweep "industry standards" into this proceeding. Comcast notes that there is a current dispute between BellSouth and Comcast and AT&T which involves BellSouth's obligations to process various Comcast and AT&T orders in Florida and Georgia (and related Access Customer Name Abbreviation (ACNAs)). Comcast explains this proceeding should resolve Mpower's ordering and provisioning dispute based on the specific facts that exist between Mpower and BellSouth. Further, Comcast indicates that if no "industry wide" impact will be established, there would be no need for the Commission to grant Comcast's Petition to Intervene. Therefore, Comcast requests its Petition to Intervene be granted, or in the alternative, the Commission issue an order that this proceeding will have no "industry wide" or other precedential impact upon Comcast.

Pursuant to Rule 25-22.039, Florida Administrative Code, persons seeking to intervene in a Commission proceeding must demonstrate that they are entitled to participate because they have a substantial interest that may be adversely affected by the outcome of the proceeding. This rule also requires that allegations be sufficient to show that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to a Commission rule, or that substantial interests of the intervenor are subject to determination or will be affected through the proceeding.

Having reviewed the Petition, it appears that Comcast's substantial interests may be affected by this proceeding because it is a telecommunications provider in Florida. In addition, the issues regarding ACNA codes that have been identified for this proceeding will potentially have an impact on Comcast as well. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, Comcast Phone of Florida, LLC takes the case as it finds it.

ORDER NO. PSC-03-0767-PCO-TP
DOCKET NO. 030301-TP
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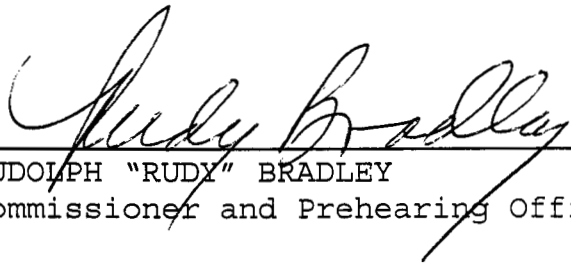
Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by Comcast Phone of Florida, LLC, be and the same 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:

Loretta A. Cecil, Esq.
Womble, Carlyle, Sandridge & Rice, PLLC
1201 West Peachtree Street, Suite 3500
Atlanta, Georgia 30309
(404) 888-7437
E-mail: lcecil@wcsr.com

By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this 26th Day of June, 2003.



RUDOLPH "RUDY" BRADLEY
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 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.