

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for arbitration
of unresolved issues in
negotiation of interconnection
agreement with Verizon Florida
Inc. by US LEC of Florida Inc.

DOCKET NO. 020412-TP
ORDER NO. PSC-03-0870-PCO-TP
ISSUED: July 28, 2003

ORDER GRANTING MOTION FOR EXTENSION OF TIME

On May 10, 2002, US LEC of Florida Inc. (US LEC) petitioned the Commission to arbitrate certain unresolved terms and conditions of an interconnection agreement with Verizon Florida Inc. (Verizon). Verizon filed a response and the matter was set for hearing. At the issue identification meeting, 9 issues were identified by the parties to be arbitrated. Prior to the administrative hearing, the parties resolved one issue.

The administrative hearing was held on February 6, 2003. By Order No. PSC-03-0762-FOF-TP (Final Order), issued June 25, 2003, the Commission rendered its final decision on arbitration. By that Order, we required the parties to submit an executed, final interconnection agreement (final agreement) compliant with our decisions within 30 days of the issuance of the Final Order. The final agreement was due on July 25, 2003.

On July 24, 2003, Verizon filed a Motion for Extension of Time requesting until September 8, 2003, to submit the signed final agreement. Verizon states the parties need additional time to negotiate a final agreement which conforms with the Final Order. Verizon further states that US LEC is in agreement with the requested extension.

Since the requested extension of time is agreed upon by the parties, it appears reasonable and appropriate to extend the final agreement due date as requested. Accordingly, the due date for filing a final agreement is extended until September 8, 2003.

Based on the foregoing, it is

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that Verizon Florida Inc.'s Motion for Extension of Time

DOCUMENT NUMBER-DATE

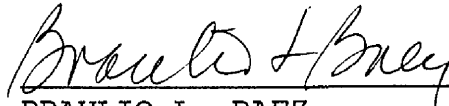
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is granted. The date for filing an executed, final interconnection agreement is hereby extended until September 8, 2003.

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 28th day of July, 2003.


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 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

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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.