

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by XO Florida,
Inc. for arbitration of certain
unresolved issues in
negotiations for interconnection
and resale agreement with
Sprint-Florida, Incorporated.

DOCKET NO. 030467-TP
ORDER NO. PSC-03-0936-PCO-TP
ISSUED: August 15, 2003

ORDER REVISING ORDER ESTABLISHING PROCEDURE

By Order No. PSC-03-0865-PCO-TP, issued July 24, 2003,
(Order Establishing Procedure) procedures for this docket were
established. The following provision was set forth therein:

Pursuant to Rule 28-106.206, Florida Administrative Code,
unless subsequently modified by the Prehearing Officer,
the following shall apply: interrogatories, including all
subparts, shall be limited to 75, and requests for
production of documents, including all subparts, shall be
limited to 25.

Order No. PSC-03-0865-PCO-TP at p. 3.

After considering the issues in this docket, Commission staff
has advised that the above-referenced discovery limits need to be
enlarged. Expanding these discovery limits will enable the parties
and the Commission staff to conduct adequate discovery in this
docket. Therefore, the Order Establishing Procedure is revised to
provide for the following limitations on discovery:
interrogatories, including all subparts, shall be limited to 150;
requests for production of documents, including all subparts, shall
be limited to 50.

Further, to allow for a second round of discovery before the
discovery cut-off date of January 21, 2004, the following shall
apply: (1) all discovery requests shall be served by e-mail or fax,
as well as by overnight mail; (2) discovery responses shall be
served within 20 calendar days of receipt of the discovery request,
and; (3) there shall be no extra time for mailing throughout this
proceeding. In addition, all discovery requests and responses
shall also be served on staff. All other aspects of the Order

DOCUMENT NUMBER-DATE

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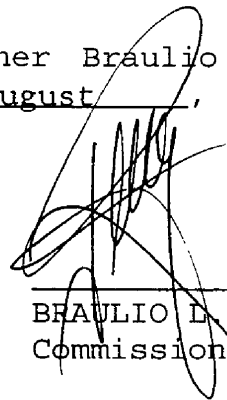
Establishing Procedure, Order No. PSC-03-0865-PCO-TP, are affirmed.

It is therefore,

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that the discovery limits set forth in Order No. PSC-03-0865-PCO-TP are revised as set forth in the body of this Order. It is further,

ORDERED that all other aspects of Order No. PSC-03-0865-PCO-TP are reaffirmed.

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 15th day of August, 2003.

 for Commissioner Braulio Baez

BRAULIO L. BAEZ
Commissioner and Prehearing Officer

(S E A L)

LHD

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.

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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.