

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.'s service territory.

DOCKET NO. 981834-TP

In re: Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for generic investigation to ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and GTE Florida Incorporated comply with obligation to provide alternative local exchange carriers with flexible, timely, and cost-efficient physical collocation.

DOCKET NO. 990321-TP
ORDER NO. PSC-03-1087-PCO-TP
ISSUED: October 1, 2003

ORDER GRANTING MOTION FOR EXTENSION OF TIME

I. Background

By Proposed Agency Action Order No. PSC-99-1744-PAA-TP, issued September 7, 1999, we adopted a set of procedures and guidelines for collocation, focused largely on those situations in which an incumbent local exchange company (ILEC) believes there is no space for physical collocation. Thereafter, we conducted a hearing to further address collocation guidelines. By Order No. PSC-00-2190-PCO-TP, issued November 17, 2000, various motions for reconsideration and/or clarification of our post-hearing decision regarding collocation guidelines were addressed by the Commission. By that Order, this Docket was left open to address remaining issues associated with collocation, including pricing.

By Order No. PSC-02-1513-PCO-TP, issued November 4, 2002, the procedural schedule and hearing dates were established for this phase of this proceeding in which we will address the remaining technical and pricing issues regarding collocation. On February 7,

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2003, the Commission Staff filed a Motion to Revise Order Establishing Procedure.

By Order No. PSC-03-0288-PCO-TP, issued March 4, 2003, Staff's Motion to Revise Order Establishing Procedure was granted. By Order No. PSC-03-0702-FOF-TP, issued June 11, 2003, we approved the agreement reached between the parties and our staff to resolve the Joint Motion to Strike, or in the Alternative Grant an Extension of Time. By Order No. PSC-03-0776-PCO-TP, issued July 1, 2003, the procedural schedule was modified to reflect the agreement reached between the parties and our staff.

On September 18, 2003, Verizon Florida Inc. (Verizon) filed a Motion for Extension of Time requesting a three-day extension to file its Surrebuttal Testimony, currently due September 23, 2003. Verizon states it will email its testimony to the parties on September 25, 2003, with hard copies filed with the Commission the next day and such extension should apply to all parties.

Verizon states both its Counsel and a couple of its collocation subject matter experts are located in the Washington D.C. area which was under a hurricane advisory as of the date its motion was filed. States of emergency were declared in Washington D.C. and the surrounding area, which resulted in Verizon counsel's office and the public transportation systems being closed. Given such circumstances, Verizon asserts it would be very difficult to finalize its surrebuttal testimony in time to make a Federal Express deadline of Monday, September 22.

II. Decision

Due to extraordinary circumstances, I find it reasonable and appropriate to grant Verizon's Motion for Extension of Time to file surrebuttal testimony. Furthermore, to avoid prejudicing any parties to this docket, the extension shall apply to all parties. Accordingly, the due date for filing surrebuttal testimony is extended until September 26, 2003.

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason as Prehearing Officer, that Verizon Florida Inc.'s Motion for Extension of Time to file its surrebuttal testimony is granted. The date for filing surrebuttal testimony is hereby extended until September 26, 2003.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 1st Day of October, 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 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.

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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.