

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising from Federal Communications Commission's triennial UNE review: Local Circuit Switching for Mass Market Customers.	DOCKET NO. 030851-TP ORDER NO. PSC-04-0061-PCO-TP ISSUED: January 21, 2004
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Order Granting in Part and Denying in Part
AT&T's Second Motion to Amend Procedural Schedule

I. Case Background

In response to the Federal Communications Commission's (FCC) August 21, 2003, Triennial Review Order (TRO), this Commission opened two dockets to ascertain whether a requesting carrier is impaired by lack of access to incumbent local exchange companies' network elements. This docket was initiated to implement those provisions of the TRO concerning whether CLECs are impaired without access to unbundled local circuit switching.

By Order No. PSC-03-1054-PCO-TP, issued September 22, 2003, the original procedural schedule for this docket was established. Additionally, by Order No. PSC-03-1200-PCO-TP, issued on October 22, 2003, the parties' requests to modify the procedural schedule were denied, and certain controlling dates were modified due to the complexity and magnitude of this proceeding. On October 23, 2003, an issue identification conference was held. Order No. PSC-03-1265-PCO-TP was issued on November 7, 2003, to publish the issues identified at that conference and to again modify particular dates within the procedural schedule. More recently, Order No. PSC-03-1463-PCO-TP was issued on December 22, 2003, modifying testimony due dates in this docket.

II. AT&T's Second Motion to Amend Procedural Schedule

On January 12, 2004, AT&T Communications of the Southern States, LLC (AT&T) filed its Second Motion to Amend Procedural Schedule. Specifically, AT&T moved to modify the date the prehearing statements are due, from January 23, 2004, to February 2, 2004. Although no party filed a response to AT&T's motion, all parties were afforded a reasonable opportunity to do so.

III. Conclusion

After careful consideration of the proposed modification put forth in AT&T's Second Motion to Amend Procedural Schedule, I find it reasonable and appropriate to have January 27, 2004, as the date prehearing statements shall be due in Docket No. 030851-TP.

DOCUMENT NUMBER-DATE
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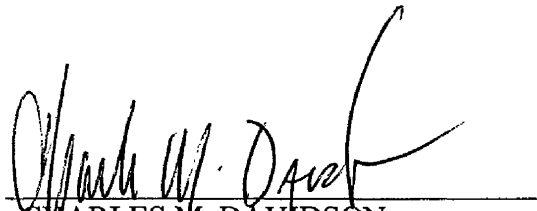
Based upon the foregoing, it is

ORDERED by Commissioner Charles M. Davidson, Prehearing Officer, that AT&T Communications of the Southern States, LLC's Second Motion to Amend Procedural Schedule be granted in part and denied in part. It is further

ORDERED that parties' prehearing statements shall be due January 27, 2004. It is further

ORDERED that Order Nos. PSC-03-1054-PCO-TP and PSC-03-1265-PCO-TP are affirmed in all other respects.

By ORDER of Commissioner Charles M. Davidson, as Prehearing Officer, this 21st day of January, 2004.



CHARLES M. DAVIDSON
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.