

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Complaint of Cargill Crop Nutrition, Inc., f/k/a Cargill Fertilizer, a subsidiary of Cargill Corporation, against Verizon Florida Inc. for enforcement of FCC orders and Florida Public Service Commission decisions eliminating application of tariff charges for complex inside wiring, and request for relief.

DOCKET NO. 030746-TP  
ORDER NO. PSC-04-0123-PCO-TP  
ISSUED: February 5, 2004

ORDER GRANTING JOINT MOTION FOR EXTENSION OF TIME

On August 1, 2003, Cargill Crop Nutrition, Inc., f/k/a Cargill Fertilizer ("Cargill") filed a Complaint against Verizon Florida Inc. d/b/a Verizon Communications ("Verizon") for enforcement of Florida Public Service Commission ("FPSC") Order No. PSC-97-0385-FOF-TL that eliminates the regulated charges under Verizon General Service Tariff 113.2, Extension Line Channel as applied to Cargill's Riverview, Florida location and refund of all monies with interest paid since April 15, 1993. On August 26, 2003, Verizon filed its Response to Cargill's petition. On October 31, 2003, Cargill filed a Motion to Amend Its Complaint against Verizon (hereinafter "Motion") to clarify the relief sought in this docket. Verizon did not file a response to Cargill's Motion. By Order No. PSC-03-1305-PCO-TP, issued November 17, 2003, Cargill's Motion to Amend Its Complaint was granted. Verizon filed its Answer to the Amended Complaint on December 4, 2003. On December 19, 2003, Order No. PSC-03-1436-PCO-TP, was issued, establishing the procedural dates for this docket.

On January 30, 2004, Verizon and TCG (parties) filed a Joint Motion for Extension of Time to file direct testimony. This matter is currently set for an administrative hearing.

In their motion, parties are requesting an extension of time, until February 16, 2004, to file direct testimony. Parties state that direct testimony is currently scheduled to be filed in this docket on February 2, 2004. Parties explain that they are currently engaging in settlement negotiations to resolve the disputed issues in this matter and are seeking an extension of time so they can focus on settlement discussions. Parties also state that rebuttal is due March 15, 2004, and the hearing is scheduled for June 9, 2004. Further, parties indicate that granting an extension of time to file direct testimony will not affect other due dates in this matter and no party will be prejudiced.

Based on the foregoing, the parties' Joint Motion for Extension to Time to file Direct testimony is granted.

DOCUMENT NUMBER-DATE

01735 FEB-5 04

FPSC-COMMISSION CLERK

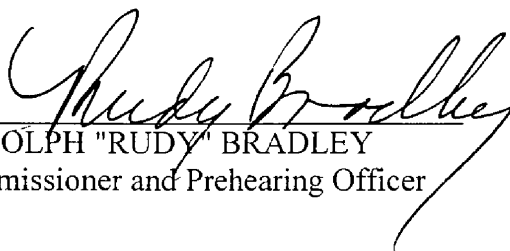
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ORDERED by Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, that the Joint Motion for Extension of Time filed by Verizon Florida Inc. d/b/a Verizon Communications and Cargill Crop Nutrition, Inc. f/k/a Cargill Fertilizer, is hereby granted. It is further

ORDERED that the Direct Testimony shall be filed by the close of business on February 16, 2004. It is further

ORDERED that the hearing procedure set forth in Order No. PSC-03-1436-PCO-TP is hereby affirmed in other all respects.

By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this 5th day of February, 2004.

  
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-

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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.