

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.

DOCKET NO. 040156-TP
ORDER NO. PSC-04-0590-PCO-TP
ISSUED: June 11, 2004

ORDER GRANTING INTERVENTION

BY THE COMMISSION

On February 20, 2004, Verizon Florida, Inc. filed a Petition for Arbitration of Amendments to Interconnection Agreements with Certain Competitive Local Exchange Carriers and Commercial Mobile Radio Service Providers in Florida. By its Petition, Verizon sought to initiate a consolidated arbitration for the purpose of amending its interconnection agreements in light of the FCC's Triennial Review Order, FCC 03-36, released August 21, 2003; 18 FCC Rcd 16978 (2003) ("TRO"). Thereafter, on March 19, 2004, Verizon filed an Update to its Petition in Response to the D.C. Circuit's March 2, 2004, decision in United States Telecom Assoc. v. Federal Communications Commission and United States of America, 359 F.3d 554 (D.C. Cir. 2004), wherein the Court vacated, in part, and remanded, in part, the FCC's TRO.

By Petition filed on April 26, 2004, MCImetro Access Transmission Services, LLC, MCI WORLDCOM Communications, Inc., Metropolitan Fiber Systems of Florida, Inc., and Intermedia Communications, Inc. (collectively "MCI"), has requested permission to intervene in this proceeding. MCI is a competitive local exchange company ("CLEC") that provides local exchange service in the State of Florida. The scope of this docket and the ultimate resolution of the issues set forth for consideration will impact the ability of a CLEC, including MCI, to compete for local exchange service customers. As such, the resolution of the issues in this docket will affect the substantial interests of MCI and its business operations in the State of Florida.

Having reviewed the Petition, it appears that MCI's substantial interests may be affected by this proceeding, because it provides local exchange service in Florida. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, MCI takes the case as it finds it.

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ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by MCImetro Access Transmission Services, LLC, MCI WORLDCOM Communications, Inc., Metropolitan Fiber Systems of Florida, Inc., and Intermedia Communications, Inc. (collectively "MCI"), is hereby granted. It is further

ORDERED that all parties to these proceedings shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in these proceedings, to:

Donna Canzano McNulty, Esq.
MCI
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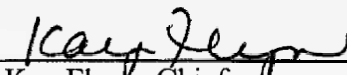
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And

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Hand: 215 S. Monroe St. Suite 701
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Tallahassee, FL 32302-1876

By ORDER of the Florida Public Service Commission this 11th day of June, 2004.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: 

Kay Flynn, Chief
Bureau of Records

(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.