

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition to review and cancel, or in the alternative immediately suspend or postpone, BellSouth Telecommunications, Inc.'s PreferredPack Plan tariffs, by Supra Telecommunications and Information Systems, Inc.

DOCKET NO. 040353-TP
ORDER NO. PSC-04-1121-PCO-TP
ISSUED: November 10, 2004

ORDER MODIFYING PROCEDURE

BY THE COMMISSION:

On April 20, 2004, Supra Telecommunications & Information Systems, Inc. (Supra) filed its Petition to Review and Cancel Bellsouth's Promotional Offering Tariffs offered in conjunction with its new flat rate service known as the PreferredPack Plan. On May 17, 2004, Bellsouth Telecommunications, Inc. (Bellsouth) filed its Answer to Supra's Petition. On May 27, 2004, Order No. PSC-04-0549-PCO-TP was issued to initiate an expedited discovery procedure.

On July 27, 2004, Supra filed a Motion for a Summary Final Order contending there exist no genuine issues of material fact. BellSouth filed its response on September 24, 2004. Supra's Motion was denied by Order No. PSC-04-0975-PCO-TP, issued October 8, 2004. This matter is currently set for an administrative hearing.

By Order No. PSC-04-0931-PCO-TP, issued September 22, 2004, certain controlling dates for this docket were established. Due to a conflict in the Commission calendar, the Hearing as scheduled in Order No. PSC-04-0931-PCO-TP must be changed from January 5, 2005 to January 6, 2005. Therefore, I find it necessary and appropriate to make the following modification to the schedule:

Hearing January 6, 2005

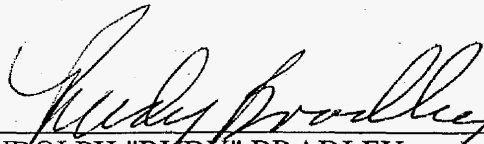
It is therefore,

ORDERED by Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, that the procedural schedule as set forth in Order No. PSC-04-0975-PCO-TP is modified as set forth herein, and shall be followed unless further modified by the Commission. It is further

ORDERED that Order No. PSC-04-0975-PCO-TP is reaffirmed in all other respects.

DOCUMENT NUMBER-DATE
12071 NOV 10 04
FPSC-COMMISSION CLERK

By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this
10th day of November, 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 25-22.0376, 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.