

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Complaint of XO Florida, Inc. against
BellSouth Telecommunications, Inc. for
alleged refusal to convert circuits to UNEs; and
request for expedited processing.

DOCKET NO. 041114-TP
ORDER NO. PSC-05-0215-PCO-TP
ISSUED: February 23, 2005

ORDER ON MOTION FOR EXTENSION OF TIME

On September 22, 2004, XO Florida, Inc. filed a complaint against BellSouth Telecommunications, Inc. for alleged refusal to convert special access circuits to UNEs and request for expedited processing. By Order No. PSC-04-1068-PCO-TP, XO's request for expedited processing was denied. Subsequently, pursuant to Order No. PSC-04-1147-PCO-TP, this matter has been set for an administrative hearing.

On February 16, 2005, the parties filed a Joint Motion for Extension of Time. In the Motion, the parties request that the Prehearing Officer grant them a six-day extension of time until February 23, 2004, in which to file Responses to Staff's Third Set of Interrogatories and Third Request for Production of Documents. In support of the Motion, the parties assert that depositions scheduled for February 17, 2005, necessitated an extended response period.

Upon consideration, it appears reasonable and appropriate to extend the response due date as requested by the parties. Accordingly, the filing date for the parties' responses to Staff's Third Set of Interrogatories and Third Request for Production of Documents is extended until February 23, 2005.


Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that the parties Joint Motion for Extension of Time is granted. The date is hereby extended until February 23, 2005.

DOCUMENT NUMBER-DATE
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By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 23rd day of February, 2005.


J. TERRY DEASON
Commissioner and Prehearing Officer

(SEAL)

JPR

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.