

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-05-0380-PCO-TP
ISSUED: April 12, 2005

ORDER GRANTING INTERVENTION

On March 25, 2005, Florida Digital Network, Inc., d/b/a FDN Communications (FDN) filed its Petition for Intervention in this Docket. FDN urges in its Petition that whatever decisions and findings are made in this Docket will be equally applicable to FDN. Those findings will have a significant financial impact on those companies which have interconnection agreements with Verizon, and that includes the present petitioner. Accordingly, urges the Petitioner, FDN's substantial interests may be affected by this proceeding.

Having reviewed the Petition, in the interests of administrative efficiency and judicial economy, the Petition shall be granted. FDN is reminded that whatever decisions and findings are made in this Docket will be equally applicable to all parties. Pursuant to Rule 25-22.039, Florida Administrative Code, Petitioner takes the case as it finds it.

Therefore, it is


ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by Florida Digital Network, Inc., d/b/a FDN Communications be and the same is hereby granted. It is further

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

Matthew Feil
FDN Communications
2301 Lucien Way, Suite 200
Maitland, FL 32751
(407)835-0460
mfeil@mail.fdn.com

DOCUMENT NUMBER-DATE
03536 APR 12 05
FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 12th day of April, 2005.



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

(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.