

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Joint petition by ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom d/b/a Grapevine; Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch; DIECA Communications, Inc. d/b/a Covad Communications Company; Florida Digital Network, Inc.; LecStar Telecom, Inc.; MCI Communications, Inc.; and Network Telephone Corporation ("Joint CLECs") for generic proceeding to set rates, terms, and conditions for hot cuts and batch hot cuts for UNE-P to UNE-L conversions and for retail to UNE-L conversions in BellSouth Telecommunications, Inc. service area.

DOCKET NO. 041338-TP

In re: Complaint of Supra Telecommunications and Information Systems, Inc. against BellSouth Telecommunications, Inc.

DOCKET NO. 040301-TP
ORDER NO. PSC-05-0543-PCO-TP
ISSUED: May 17, 2005

ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF TIME

BY THE COMMISSION:

On June 23, 2004, Supra Telecommunications and Information Systems, Inc. (Supra) filed its Amended Petition for Arbitration with BellSouth Telecommunications, Inc. (BellSouth). BellSouth filed its Answer and Response on July 21, 2004.

On November 23, 2004, ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom d/b/a Grapevine; Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch; DIECA Communications, Inc. d/b/a Covad Communications Company; Florida Digital Network, Inc.(FDN); LecStar Telecom, Inc.; MCI Communications, Inc.; and Network Telephone Corporation (Joint CLECs) filed a petition for generic proceeding to set rates, terms, and conditions for hot cuts and batch hot cuts for UNE-P to UNE-L conversions and for retail to UNE-L conversions in BellSouth Telecommunications, Inc.'s service area.

On November 29, 2004, BellSouth filed an Emergency Motion for Continuance of the hearing in Docket No. 040301-TP. In addition to asking the Commission for a continuance, BellSouth also requested Docket No. 040301-TP be consolidated with Docket No. 041338-TP.

By Order No. PSC-05-0517-PCO-TP, issued February 8, 2005, BellSouth's Emergency Motion for Continuance and request for consolidation of Docket Nos. 040301-TP and 041338-TP were granted.

DOCUMENT NUMBER-DATE
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ORDER NO. PSC-05-0543-PCO-TP
DOCKET NOS. 041338-TP, 040301-TP
PAGE 2

Order No. PSC-05-0433-PCO-TP, issued April 20, 2005, established the procedural dates in this proceeding. On April 29, 2005, FDN filed a Motion for Reconsideration of Order Establishing Procedure, or in the alternative, Motion to Establish True-Up (Motion for Reconsideration). On May 6, 2005, BellSouth filed an Unopposed Motion for Extension of Time to respond to FDN's Motion for Reconsideration.

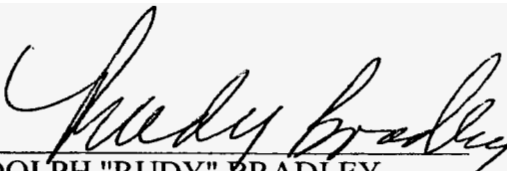
In its Motion, BellSouth states that its counsel has a number of ongoing proceedings and has not had an opportunity to prepare the appropriate response. Thus, BellSouth needs additional time to prepare a response and is requesting until Friday, May 13, 2005, to file its response. BellSouth adds that counsel for FDN has been contacted and has no objection to the requested extension. Further, BellSouth states that an extension will not negatively impact any party or the procedural schedule in this proceeding.

Having reviewed BellSouth's Unopposed Motion for Extension of Time, I find it appropriate to grant BellSouth's request. Therefore, BellSouth shall have until Friday, May 13, 2005, to file its Response to FDN's Motion for Reconsideration.

Based on the foregoing, it is

ORDERED by Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, that BellSouth Telecommunications' Inc. Unopposed Motion for Extension of Time is granted.

By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this
17th day of May, 2005


RUDOLPH "RUDY" BRADLEY
Commissioner and Prehearing Officer

(SEAL)

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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.