

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition by MCImetro Access Transmission Services LLC for arbitration of certain terms and conditions of proposed interconnection agreement with BellSouth Telecommunications, Inc.	DOCKET NO. 050419-TP ORDER NO. PSC-05-1212-PCO-TP ISSUED: December 9, 2005
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ORDER MODIFYING PROCEDURE

On June 20, 2005, MCImetro Access Transmission Services, LLC (MCI) filed its Petition for Arbitration of certain terms and conditions of a proposed interconnection agreement with BellSouth Telecommunications, Inc. (BellSouth). On July 15, 2005, BellSouth filed its response to MCI's Petition. Pursuant to MCI's request for arbitration, this matter has been scheduled for an administrative hearing.

By Order No. PSC-05-0927-PCO-TP (Order Establishing Procedure), issued September 19, 2005, certain controlling dates for this Docket were established. Due to a change in the Commission's internal schedule and reassignment of the prehearing officer in this Docket, the prehearing and hearing dates have been changed to January 12, 2006, and January 25 – 26, 2006, respectively.

Furthermore, on November 22, 2005, counsel for MCI contacted staff counsel requesting an extension on its responses to Staff's First Set of Discovery until December 1, 2005. Counsel for MCI had indicated to staff that it would be unable to serve its responses within the 20-day timeframe set in the Order Establishing Procedure. In order to provide staff additional time to review MCI's discovery responses, I find it necessary to extend the discovery cut-off date to January 17, 2006. However, I strongly encourage the parties in this Docket to make every effort in the future to adhere to the discovery time-frames as set forth in the Order Establishing Procedure. Therefore, I find it reasonable and appropriate to make the following modifications to the schedule:

1. Prehearing shall be held on January 12, 2006.
2. Hearing shall be held on January 25 – 26, 2006.
3. All discovery actions shall be completed by January 17, 2006.

Based upon the foregoing, it is

ORDERED by Commissioner J. Terry Deason, Prehearing Officer, that Order No. PSC-05-0927-PCO-TP is modified as set forth in the body of this Order. It is further

DOCUMENT NUMBER-DATE

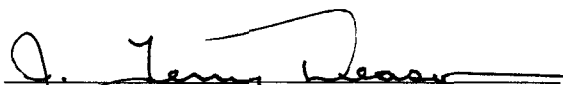
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ORDERED that the schedule as modified, shall be followed unless further modified by the Commission. It is further

ORDERED that Order No. PSC-05-0927-PCO-TP is reaffirmed in all other aspects.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 9th day of December, 2005.


J. TERRY DEASON
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.