

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-06-0018-PCO-TP
ISSUED: January 4, 2006

ORDER GRANTING STAY PENDING RECONSIDERATION

This Order is issued under the authority granted by Rule 28-106.211, Florida Administrative Code, which provides that the presiding officer before whom a case is pending may issue any orders necessary to effectuate discovery, prevent delay, and promote the just, speedy, and inexpensive determination of all aspects of the case.

On December 5, 2005, this Commission issued its Final Order, Order No. PSC-05-1200-FOF-TP, setting forth its findings on the issues presented in this Docket. That Order provided that the parties shall submit to this Commission, within 30 days of the issuance of the Order, a conforming agreement for review by our staff. On December 20, 2005, motions for reconsideration and/or clarification were filed by the primary parties to this action. The Motion filed by Florida Digital Network, Inc. also included a Motion for Temporary Relief from Enforcement.

This Commission will not rule on FDN's Motion for Temporary Relief from Enforcement. However, it is recognized that the procedural timelines for dealing with the motions for reconsideration will consume most of the 30 days allocated by the Final Order. The proper and fair consideration of the Motions by the Commission will also require some time, but will be done expeditiously. Meantime, January 4, 2006 is not a realistic date for submission of the agreements, recognizing that the Motions present the possibility of change or greater clarification of the Commission's findings in the Final Order.

Based on the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that a stay of the required date for the submission of the conforming agreements is hereby granted pending the Commission's findings on the Motions for Reconsideration and/or Clarification. It is further


ORDERED that the precise revised date for the submission of the agreements will be determined contiguous with the decisions on the Motions for Reconsideration and/or Clarification.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 4th day of January, 2006.


LISA POLAK EDGAR
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.