

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Complaint regarding BellSouth Telecommunications, Inc.'s failure to offer its promotional tariff offerings for resale and request for relief, by Supra Telecommunications and Information Systems, Inc.

DOCKET NO. 060366-TP
ORDER NO. PSC-06-0858-PCO-TP
ISSUED: October 13, 2006

ORDER GRANTING JOINT MOTION FOR STAY

On May 1, 2006, Supra Telecommunications and Information Systems, Inc. (Supra) filed a complaint regarding BellSouth Telecommunications, Inc.'s (BellSouth) failure to offer its promotional tariff offerings for resale and request for relief. On May 22, 2006, BellSouth filed its Answer. Pursuant to Order No. PSC-06-0738-PCO-TP, issued August 31, 2006, this matter has been set for an administrative hearing on December 14 – 15, 2006.

On October 12, 2006, the parties filed a Joint Motion for Stay (Motion). The parties request that we stay the proceedings in this docket, including the testimony filing deadlines, for a period of 30 days from the date this Order is issued. In support of their Motion, the parties assert that they are currently involved in settlement negotiations. According to the parties, they are optimistic that the matters at issue in this proceeding can be resolved. The parties further assert that it is unlikely that a resolution would be reached before the deadline for filing direct testimony.¹ Accordingly, the parties state that 30 days will be adequate for them to determine if a resolution can be reached and, if so, to finalize any such resolution.

Upon consideration, I find it reasonable and appropriate to grant the parties' Motion. I further find that since both parties in this docket have requested the stay, no party will be prejudiced. In addition, the parties shall file with the Division of the Commission Clerk and Administrative Services a status report apprising the Commission of the status of their settlement negotiations. The status report shall be filed thirty days from the date this Order is issued.

Based upon the foregoing, it is

ORDERED by Commissioner Matthew M. Carter II, Prehearing Officer, that the parties' Joint Motion for Stay is hereby granted. It is further

ORDERED that all proceedings in this docket shall be stayed for a period of thirty days from the date this Order is issued. It is further

ORDERED that the parties shall file a status report with the Division of the Commission Clerk and Administrative Services apprising the Commission of the status of their settlement negotiations. The status report shall be filed thirty days from the date this Order is issued.

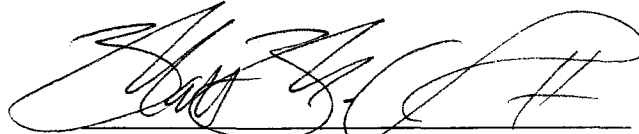
¹ The deadline for filing direct testimony in this docket is October 13, 2006.

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FPSC-COMMISSION CLERK

By ORDER of Commissioner Matthew M. Carter II, as Prehearing Officer, this 13th
day of October, 2006.



MATTHEW M. CARTER II
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.