

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint and request for emergency relief against Verizon Florida, LLC for anticompetitive behavior in violation of Sections 364.01(4), 364.3381, and 364.10, F.S., and for failure to facilitate transfer of customers' numbers to Bright House Networks Information Services (Florida), LLC, and its affiliate, Bright House Networks, LLC. DOCKET NO. 070691-TP

In re: Complaint and request for emergency relief against Verizon Florida, L.L.C. for anticompetitive behavior in violation of Sections 364.01(4), 364.3381, and 364.10, F.S., and for failure to facilitate transfer of customers' numbers to Comcast Phone of Florida, L.L.C. d/b/a Comcast Digital Phone. DOCKET NO. 080036-TP  
ORDER NO. PSC-08-0437-PCO-TP  
ISSUED: July 8, 2008

**THIRD ORDER MODIFYING PROCEDURE**

**I. CASE BACKGROUND**

By Order No. PSC-08-0235-PCO-TP (Order Establishing Procedure), issued April 10, 2008, certain controlling dates for filing testimony for this consolidated Docket were established, as was an issues list guiding the scope of this proceeding. By Order No. PSC-08-0325-PCO-TP (Order Modifying Procedure), the dates set for filing Direct and Rebuttal Testimony were extended, and the Issues List was modified.

Verizon subsequently filed a motion to add issues to the Issues List and Bright House and Comcast filed responses in opposition to the additions. By Order No. PSC-08-0344-PCO-TP (Second Order Modifying Procedure), the date set for filing Direct Testimony was further extended and the Issues List was further modified. Being unconvinced of the need to broaden the scope of the Issues List beyond the four modified issues attached, I declined to do so and indicated that this decision should also serve as guidance for discovery.

On July 1, 2008, the parties filed a Joint Motion for Extension of Time, seeking extensions of the time for filing Rebuttal Testimony and the Prehearing Statements, and extension of the Discovery Cutoff date. Additionally, all parties agreed with the need to shorten the response time to discovery requests to ten days. Staff recommends that these extensions, as well as the shortened response time to discovery requests, are necessary for staff to meet the needs of the Commission by providing the Commission with the most complete picture possible of the issues in this matter. I agree. In order to allow staff and the parties the opportunity to

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fully present the facts and arguments for the Commission's decision in this matter, I find it reasonable and appropriate to make the following modifications to the schedule:

- (1) Rebuttal Testimony shall be filed on July 25, 2008.
- (2) Prehearing Statements shall be filed on July 25, 2008.
- (3) Discovery Cutoff shall be August 21, 2008.
- (4) Response Time to Discovery Requests shall be Ten days.

Based upon the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, Prehearing Officer, that Order No. PSC-08-0235-PCO-TP is modified as set forth in the body of this Order. It is further

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

ORDERED that Order No. PSC-08-0235-PCO-TP is reaffirmed in all other aspects.

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 8th day of July, 2008.



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LISA POLAK EDGAR  
Commissioner and Prehearing Officer

( S E A L )

HFM

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 Office of Commission Clerk, 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.