

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Intrado Communications, Inc. for arbitration to establish an interconnection agreement with Verizon Florida LLC, pursuant to Section 252(b) of the Communications Act of 1934, as amended, and Section 364.162, F.S.

DOCKET NO. 080134-TP
ORDER NO. PSC-09-0160-PCO-TP
ISSUED: March 20, 2009

ORDER ESTABLISHING A DUE DATE FOR INTRADO COMMUNICATIONS INC.'S
RESPONSE TO VERIZON FLORIDA LLC'S MOTION FOR SUMMARY FINAL ORDER

On March 5, 2008, Intrado Communications, Inc. (Intrado Comm) filed its Petition for Arbitration with Verizon Florida LLC (Verizon) pursuant to Section 252(b) of the Communications Act of 1934, as amended; Sections 120.80(13), 120.57(1), 364.16, 364.161, and 364.162, Florida Statutes (F.S.); and Rule 28-106.201, Florida Administrative Code (F.A.C.). On November 12, 2008, an Order Establishing Procedure was issued setting this proceeding for hearing. On December 19, 2008, Intrado Comm filed a Motion to Hold in Abeyance (Motion for Abeyance)¹ in the instant docket.

On January 22, 2009, Order No. PSC-09-0053-PCO-TP was issued granting Intrado Comm's Motion for Abeyance (Order Granting Abeyance). The Order Granting Abeyance stated that upon resolution by the full Commission of the Motions for Reconsideration filed in the Embarq and AT&T arbitration dockets, a subsequent procedural order would be issued setting forth a new due date for filing Intrado Comm's Response to Verizon's Motion for Summary Final Order. The Commission denied the Motions for Reconsideration at its March 3, 2009 Agenda conference, and on March 16, 2009, the Final Orders in the Embarq and AT&T arbitration dockets denying the Motions for Reconsideration were issued.²

Rule 28-106.204, F.A.C. allows a party seven days to file a response to a motion. Intrado Comm indicated in its Motion for Abeyance that it would be prepared to file its response to Verizon's Motion for Summary Final Order within seven days. Accordingly, Intrado Comm's response to Verizon's Motion for Summary Final Order shall be filed within seven days from the issuance of this Order. An Order setting forth a modified procedural schedule for this docket will be forthcoming.

¹ Intrado Comm's Motion for Abeyance requested that the Commission hold this proceeding in abeyance pending the resolution of Motions for Reconsideration filed on December 18, 2008, in its arbitration proceedings in Docket No. 070699-TP with Embarq Florida, Inc. (Embarq) and in Docket No. 070736-TP with BellSouth Telecommunications, Inc. d/b/a AT&T Florida (AT&T). Intrado Comm also noted that on December 16, 2008, Verizon filed a Motion for Summary Final Order in this proceeding based on the Commission's Final Orders issued in the Embarq and AT&T arbitration dockets.

² Order Nos. PSC-09-0155-FOF-TP and PSC-09-0156-FOF-TP.

DOCUMENT NUMBER-DATE


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FPSC-COMMISSION CLERK

Based upon the foregoing, it is

ORDERED by Commissioner Katrina J. McMurrian, as Prehearing Officer, that Intrado Communications Inc.'s response to Verizon Florida LLC's Motion for Summary Final Order shall be filed within seven days from the issuance of this Order.

By ORDER of Commissioner Katrina J. McMurrian, as Prehearing Officer, this 20th day of March, 2009.


KATRINA J. McMURRIAN
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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.