

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-09-0785-PCO-TP
ISSUED: November 19, 2009

ORDER GRANTING JOINT MOTION TO HOLD DOCKET IN ABEYANCE

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 November 13, 2009, Verizon Florida LLC (Verizon) and Intrado Communications Inc. (Intrado Comm) filed a Joint Motion to Hold the Arbitration Proceeding in Abeyance. Verizon and Intrado Comm have agreed to hold this proceeding in abeyance pending a decision in the Intrado Comm/Verizon Virginia arbitration¹ (Virginia arbitration) currently before the Wireline Competition Bureau of the Federal Communications Commission (FCC). The Virginia arbitration will resolve whether Intrado Comm is entitled to interconnection pursuant to section 251(c) of the Communications Act of 1934, as amended, for Intrado Comm's 911 service offering. Verizon and Intrado Comm also agree that any statutory deadlines shall be delayed during the pendency of the abeyance.

Upon consideration and in the interest of judicial economy, I find it reasonable and appropriate to grant Verizon and Intrado Comm's Joint Motion to Hold the Arbitration Proceeding in Abeyance. Since this is a joint motion, neither party will be prejudiced by granting an abeyance. Therefore, this docket will be held in abeyance until the disposition of the Virginia arbitration before the FCC, a motion from the parties, or upon the Florida Public Service Commission's own motion.

¹ FCC WC Docket No. 08-185, *Petition of Intrado Communications of Virginia Inc. for Arbitration Pursuant to Section 252(b) of the Communications Act of 1934, as amended, to Establish an Interconnection Agreement with Verizon South Inc. and Verizon Virginia Inc. (collectively, "Verizon")*. This proceeding has been consolidated with FCC WC Docket No. 08-33, *Petition of Intrado Communications of Virginia Inc. for Arbitration Pursuant to Section 252(b) of the Communications Act of 1934, as amended, to Establish an Interconnection Agreement with Central Telephone Company of Virginia and United Telephone - Southeast, Inc. (collectively, "Embarq")*. See *Petition of Intrado Communications of Virginia Inc. Pursuant to Section 252(e)(5) of the Communications Act for Preemption of the Jurisdiction of the Virginia State Corporation Commission Regarding Arbitration of an Interconnection Agreement with Central Telephone Company of Virginia and United Telephone - Southeast, Inc. (collectively, Embarq)*; *Petition of Intrado Communications of Virginia Inc. Pursuant to Section 252(e)(5) of the Communications Act for Preemption of the Jurisdiction of the Virginia State Corporation Commission Regarding Arbitration of an Interconnection Agreement with Verizon South Inc. and Verizon Virginia Inc. (collectively, Verizon)*, 23 FCC Rcd 17867 (2008) (consolidating the arbitrations).

DOCUMENT NUMBER-DATE


11469 NOV 19 09

FPSC-COMMISSION CLERK

Based on the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that Verizon Florida LLC and Intrado Communications Inc.'s Joint Motion to Hold the Arbitration Proceeding in Abeyance is hereby granted.

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 19th day of November, 2009.



LISA POLAK EDGAR
Commissioner and Prehearing Officer

(S E A L)

TLT

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

ORDER NO. PSC-09-0785-PCO-TP

DOCKET NO. 080134-TP

PAGE 3

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.