

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of DeltaCom, Inc. for order  
determining DeltaCom, Inc. not liable for  
access charges of KMC Data LLC, and  
Hypercube Telecom, LLC.

DOCKET NO. 090327-TP  
ORDER NO. PSC-10-0291-PCO-TP  
ISSUED: May 7, 2010

ORDER MODIFYING PROCEDURE

On April 20, 2010, the Commission issued Order No. PSC-10-0245-PCO-TP, establishing procedure in this docket. The Order listed the due date for the prehearing transcript as September 6, 2010, which is Labor Day. As such, I find it necessary and appropriate to amend the hearing schedule to make the Prehearing transcript due on Friday, September 3, 2010.

It is therefore,

ORDERED by Commissioner Nathan A. Skop, as Prehearing Officer, that the procedural schedule set forth in Order No. PSC-10-0245-PCO-TP is modified as set forth herein. It is further

ORDERED that Order No. PSC-10-0245-PCO-TP is reaffirmed in all other respects.

By ORDER of Commissioner Nathan A. Skop, as Prehearing Officer, this 7th day of  
May, 2010.



NATHAN A. SKOP  
Commissioner and Prehearing Officer

(SEAL)

CWM

DOCUMENT NUMBER-DATE  
03828 MAY-7 2010  
FPSC-COMMISSION CLERK

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.