

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for arbitration of interconnection agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida and Sprint Spectrum L.P., Nextel South Corp. and NPCR, Inc. d/b/a Nextel Partners.

DOCKET NO. 100177-TP
ORDER NO. PSC-10-0293-PCO-TP
ISSUED: May 7, 2010

ORDER GRANTING UNOPPOSED MOTION

On May 5, 2010, pursuant to Rule 28-106.204, Florida Administrative Code, Sprint Spectrum L.P. d/b/a Sprint PCS, Nextel South Corp., NPCR, Inc. d/b/a Nextel Partners, and Sprint Communications Company Limited Partnership (collectively "Sprint") filed an Unopposed Motion to Accept Response to Arbitration Petitions Filed One Day Out of Time ("Motion"). In its Motion, Sprint asks that the Florida Public Service Commission ("Commission") accept for filing, Sprint's Joint Response in Docket Nos. 100176-TP and 100177-TP ("Joint Response").

In support of its Motion, Sprint asserts the following.

- The Joint Response was due on May 4, 2010, was timely served on the Commission's staff and AT&T electronically and by U.S. Mail, and was filed with the Commission electronically.
- Sprint learned, after the Commission's business hours, that its electronically-filed Joint Response had not been accepted by the Commission.
- Sprint filed a paper copy of its Joint Response the following morning.

Sprint asserts that no party is prejudiced by the Commission accepting the filing one day out of time and also represents that AT&T does not oppose this Motion.


Having reviewed the unopposed Motion, I find it appropriate that the same be granted.

Based on the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that the May 5, 2010, Unopposed Motion to Accept Response to Arbitration Petitions Filed One Day Out of Time, filed by Sprint Spectrum L.P. d/b/a Sprint PCS, Nextel South Corp., NPCR, Inc. d/b/a Nextel Partners, and Sprint Communications Company Limited Partnership, is hereby granted.

DOCUMENT NUMBER-DATE
03830 MAY-7 2010
FPSC-COMMISSION CLERK

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 7th day of
May _____, 2010.



LISA POLAK EDGAR
Commissioner and Prehearing Officer

(SEAL)

CWM

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.