

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint against Verizon Florida, LLC and MCI Communications Services, Inc. d/b/a Verizon Business Services for failure to pay intrastate access charges for the origination and termination of intrastate interexchange telecommunications service, by Bright House Networks Information Services (Florida), LLC.

DOCKET NO. 110056-TP  
ORDER NO. PSC-11-0549-PCO-TP  
ISSUED: November 30, 2011

ORDER GRANTING BRIGHT HOUSE'S MOTION FOR EXTENSION OF TIME  
TO FILE REBUTTAL TESTIMONY

On September 27, 2011, I issued Order No. PSC-11-0417-PCO-TP, the Order Establishing Procedure in this docket. By that Order I established the filing date for the parties' Rebuttal Testimony as December 2, 2011. I also established a Discovery cut-off date of February 28, 2012, and set this matter for hearing on March 3 and 4, 2012. On November 23, 2011, Bright House Networks Information Services (Florida), LLC, ("Bright House") filed a Motion for Extension of Time to File Rebuttal Testimony ("Motion").

In its Motion, Bright House states that on October 27, 2011, the FCC adopted a Report and Order and Notice of Proposed Rulemaking<sup>1</sup> ("Order"), in which the FCC addressed comprehensive reforms to the Universal Service Fund and Intercarrier Compensation mechanisms. Bright House avers that the complete text of the Order was subsequently issued on November 18, 2011, and that MCI Communications Services, Inc. d/b/a Verizon Business Services ("Verizon") and Bright House are currently reviewing the voluminous, 751-page Order to determine whether, and to what extent, findings in the FCC's recent decision should be addressed in Rebuttal Testimony. Bright House asks that the December 2, 2011, date for filing both Parties' Rebuttal Testimony be extended to December 16, 2011; Bright House states that this will allow the Parties sufficient time to review the FCC's decision and address it, to the extent appropriate, in Rebuttal Testimony. Bright House specifically notes that Counsel for Bright House has discussed this request with Verizon and represents that Verizon consents to this Motion.

Upon review, I find that Bright House has alleged sufficient grounds to support its Motion for Extension of Time. I find that no party will be prejudiced by the two (2) week extension of the filing date. I further find that, given the discovery cut-off date is late February,

<sup>1</sup> Report and Order and Notice of Proposed Rulemaking, Order FCC 11-161, issued in WC Docket No. 10-90, GN Docket No. 09-51, WC Docket No. 07-135, WC Docket No. 05-337, CC Docket No. 01-92, CC Docket No. 96-45, WC Docket No. 03-109, WT Docket No. 10-208, November 18, 2011.

DOCUMENT NUMBER-DATE

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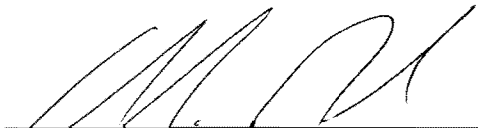
2012, with the hearing in this matter set for March, 2012, that the Motion can be granted without further modification of any other dates set forth in the Order Establishing Procedure.<sup>2</sup>

Therefore, it is

ORDERED by Commissioner Eduardo E. Balbis, as Prehearing Officer that Bright House Networks Information Services (Florida), LLC's Motion for Extension of Time to File Rebuttal Testimony on December 16, 2011, is GRANTED It is further

ORDERED that Order No. PSC-11-0417-PCO-TP is reaffirmed in all other respects.

By ORDER of Commissioner Eduardo E. Balbis, as Prehearing Officer, this 30th day of November, 2011.



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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.

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<sup>2</sup> I note that the Order establishes twenty (20) days as the turn-around time for discovery responses. Given this turn-around time, it appears the parties and Commission staff will have sufficient time before the February 28, 2012 discovery cut-off date to complete discovery activities.

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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.