

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Resolution of Petition(s) to)
establish nondiscriminatory)
rates, terms, and conditions for)
interconnection involving local)
exchange companies and alternative)
local exchange companies pursuant)
to Section 364.162, Florida)
Statutes)

DOCKET NO.
950985-TP

ORIGINAL
FILE COPY

MOTION FOR LEAVE TO FILE PREHEARING STATEMENT
FIVE WORKING DAYS OUT OF TIME BY CONTINENTAL

Continental Cablevision, Inc., on behalf of its affiliates, Continental Fiber Technologies, Inc. d/b/a AlterNet, and Continental Florida Telecommunications, Inc. (collectively "Continental"), hereby move the Commission for leave to file its prehearing statement five working days out of time. As grounds therefor, Continental states:

1. While it has neither intervened nor petitioned earlier in this docket, Continental has participated actively through its membership in the Florida Cable Telecommunications Association ("FCTA"). FCTA filed the direct testimony of A. R. (Dick) Schleiden, General Manager of AlterNet. In its prehearing statement filed on September 29, 1995, FCTA stated its intent to sponsor Mr. Schleiden as a member of a panel of witnesses. Accordingly, neither Continental nor Mr. Schleiden are newcomers to this proceeding. Moreover, the parties have had an adequate opportunity to file rebuttal testimony and to depose Mr. Schleiden.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

2. Continental has for some time been in negotiations with BellSouth Telecommunications, Inc. (BellSouth) relating to issues being considered in the above-captioned proceeding. The last meeting held between representatives of the two parties occurred on October 3, 1995. Following that meeting, Continental concluded that its interest in this proceeding would be better served by exercising its statutory right to petition pursuant to Section 364.162, Florida Statutes (1995). Thereafter, Continental moved with deliberate speed to prepare its petition and prehearing statement for filing today. Continental is acting promptly upon concluding that a different level of participation in this docket would be more appropriate.

3. The objective of the Continental petition is the establishment by the Commission, no later than December 31, 1995, of economically viable, nondiscriminatory mutual compensation rates for the exchange of telephone traffic between Continental and BellSouth. Continental does not seek a proceeding different than Docket No. 950985-TP for the purpose of resolving its petition and has absolutely no wish to delay the scheduled events in this proceeding. To prevent any possible delay, the Continental petition adopts the pre-filed testimony of Mr. Schleiden. Further, the Continental prehearing statement asserts the positions on the issues, as modified to add Continental to every reference to TCG or Teleport, set out in the FCTA prehearing statement.

4. No party will be prejudiced by accepting the late-filed prehearing statement. Continental's prehearing statement does not propose any issues not agreed to by the parties at Staff's Issue Identification Workshop, as modified merely to add Continental to every reference to TCG or Teleport. Continental's positions on the issues identified, as modified, are consistent with those taken in FCTA's prehearing statement and in Mr. Schleiden's timely filed direct testimony in this docket.

WHEREFORE, Continental respectfully moves the Commission for leave to file its prehearing statement five working days out of time.

Respectfully submitted,
 CONTINENTAL CABLEVISION, INC.

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Dated: October 6, 1995

CERTIFICATE OF SERVICE
DOCKET NO 950985-TP

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DOCKET NO. 950985-TP

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