



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: December 6, 1995
TO: ALL PARTIES OF RECORD
FROM: DONNA CANZANO, STAFF COUNSEL *DC*
 DIVISION OF LEGAL SERVICES
RE: DOCKET NO. 950984-TP - RESOLUTION OF PETITION(S) TO ESTABLISH
 NONDISCRIMINATORY RATES, TERMS, AND CONDITIONS FOR RESALE
 INVOLVING LOCAL EXCHANGE COMPANIES AND ALTERNATIVE
 LOCAL EXCHANGE COMPANIES PURSUANT TO SECTION 364.161,
 FLORIDA STATUTES

Attached is a copy of the ORDER MODIFYING PROCEDURAL SCHEDULE AND ESTABLISHING PRELIMINARY LIST OF ISSUES for Docket No. 950984-TP (Resale) which the Prehearing Officer has signed and will be issued tomorrow, Thursday, December 7, 1996.

If you have any questions, please call me at (904) 413-6202.

DLC/clp
Attachment

cc: Division of Records and Reporting
Division of Communications

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC / _____
- WAS _____
- OTH _____

DOCUMENT NUMBER-DATE
12205 DEC-6 95
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution of) DOCKET NO. 950984-TP
petition(s) to establish) ORDER NO.
nondiscriminatory rates, terms,) ISSUED:
and conditions for resale)
involving local exchange)
companies and alternative local)
exchange companies pursuant to)
Section 364.161, F.S.)
_____)

ORDER MODIFYING PROCEDURAL SCHEDULE AND
ESTABLISHING PRELIMINARY LIST OF ISSUES

By Order No. PSC-95-1422-PCO-TP, issued November 22, 1995, dates were established to govern the key activities to address the issues raised by Metropolitan Fiber Systems of Florida, Inc. (MFS) and MCI Metro Access Transmission Service, Inc. (MCImetro). However, the dates for filing rebuttal testimony were inadvertently omitted and are set forth below. These dates are consistent with time allowed for rebuttal in the Order Establishing Procedure, issued August 30, 1995, by Order No. PSC-95-1083-PCO-TP.

- 1) Rebuttal testimony and exhibits December 11, 1995
 (MFS petition)
- 2) Rebuttal testimony and exhibits December 12, 1995
 (MCImetro petition)

In addition, a workshop was held on November 22, 1995 for the purpose of establishing a preliminary list of issues for the hearing beginning January 8, 1996. The preliminary list of issues is provided below:

1. What elements should be made available by BellSouth to MCImetro and MFS on an unbundled basis (e.g. link elements, port elements, loop concentration, loop transport)?
2. What are the appropriate technical arrangements for the provision of such unbundled elements?
3. What are the appropriate financial arrangements for each such unbundled element?
4. What arrangements, if any, are necessary to address other operational issues?

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Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that Order No. PSC-95-1422-PCO-TP has been modified as specified in the body of this Order. It is further

ORDERED that Order No. PSC-95-1422-PCO-TP is reaffirmed in all other respects. It is further

ORDERED that the preliminary list of issues for the hearing beginning January 8, 1996 are those set forth in the body of this Order.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this ____ day of _____, _____.

J. TERRY DEASON, Commissioner and
Prehearing Officer

(S E A L)

DLC

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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.