

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 960769-TP
interconnection agreement) ORDER NO. PSC-96-1141-PCO-TP
between BellSouth) ISSUED: September 11, 1996
Telecommunications, Inc. and)
Intermedia Communications of)
Florida, Inc.)
_____)

ORDER DENYING PETITION TO INTERVENE

On June 25, 1996, Intermedia Communications of Florida, Inc. (ICI) and BellSouth Telecommunications, Inc. (BellSouth) submitted an interconnection agreement for approval pursuant to 47 § U.S.C. 252(e)(1). The agreement will be considered at the September 16, 1996 Agenda conference.

On July 12, 1996, Metropolitan Fiber Systems of Florida, Inc. (MFS) filed a Petition to Intervene in this docket. No party filed an objection to MFS's Petition. In support of its Petition, MFS states: 1) in this proceeding, the Commission will determine whether it will approve the subject co-carrier agreement, 2) Local exchange carriers are required under 47 U.S.C. § 252(i) to make available interconnection terms to any requesting carrier similar to those offered to any other carrier pursuant to the agreement approved under 47 U.S.C. § 252 and 3) it is a certificated Alternative Local Exchange Carrier whose substantial interests will be affected by the Commission's consideration of the interconnection agreement.

Upon consideration, MFS' Petition to Intervene is denied. MFS merely states that its substantial interests will be affected. MFS has not demonstrated how its substantial interests will be affected by the Commission's decision in this docket. Further, denying MFS's Petition is consistent with the Commission's decision in Docket No. 960719-TP. In that docket, the Florida Interexchange Carrier Association's (FIXCA) Petition to Intervene was denied by Order No. PSC-96-1092-PCO-TP, issued August 23, 1996. The full Commission denied FIXCA's Motion for Reconsideration of Order No. PSC-96-1092-PCO-TP at the September 3, 1996, Agenda Conference.

It is, therefore,

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that Metropolitan Fiber Systems of Florida, Inc.'s Petition to Intervene is denied.

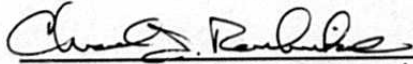
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FPSC-RECORDS/REPORTING

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By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 11th day of September, 1996.

 ASS'T TO
J. TERRY DEASON, Commissioner and
Prehearing Officer

(S E A L)

MMB

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 25-22.0376, 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.