

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for temporary waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC's First Report and Order, for the Daytona Beach Port Orange Central Office, by BellSouth Telecommunications, Inc.

DOCKET NO. 980946-TL
ORDER NO. PSC-99-0094-PCO-TL
ISSUED: January 19, 1999

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition, ACI Corp. (ACI) has requested permission to intervene in this proceeding. ACI states that it plans to offer facilities-based, high-speed data communications services to residential and business customers in Florida in 1999 and plans to submit applications for physical collocation space in this central office. ACI asserts that it, therefore, has a substantial interest in the outcome of this proceeding. Having reviewed the Petition, we find that it should be granted. ACI has demonstrated that it has a substantial interest in the outcome of this proceeding, because of its stated intent to apply for space in this central office.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by ACI, be and the same is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Charles A. Hudak, Esquire
Jeremy D. Marcus, Esquire
Gerry Friend & Saprnov, LLP
Three Ravinia Drive
Suite 1450
Atlanta, GA 30346-2131

Jeffrey Blumenfeld, Esquire
Elise P.W. Kiely, Esquire
Blumenfeld & Cohen
1615 M Street, NW
Suite 700
Washington, DC 20036

DOCUMENT NUMBER-DATE

00644 JAN 1999

PSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 19th
day of January, 1999.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

BK

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, 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

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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.

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

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Item Presented _____
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 Notice of _____ For (Date) _____ In Docket No. _____
 Other _____

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January 19, 1999

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RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *BK NCB*

RE: DOCKET NO. 980946-TL - PETITION FOR TEMPORARY WAIVER OF PHYSICAL COLLOCATION REQUIREMENTS SET FORTH IN THE 1996 TELECOMMUNICATIONS ACT AND THE FCC'S FIRST REPORT AND ORDER, FOR THE DAYTONA BEACH PORT ORANGE CENTRAL OFFICE, BY BELLSOUTH TELECOMMUNICATIONS, INC.

99-0094-PCO-TL

Attached is an ORDER GRANTING INTERVENTION, to be issued in the above-referenced docket. (Number of pages in order - 3)

BK/anr
Attachment
cc: Division of Communications
I: 980946ac.bk

faxed - 2/1
mailed - 2/1