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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition by Intermedia Communications Inc. for Arbitration with BellSouth Telecommunications, Inc., pursuant to the Telecommunications Act of 1996.

DOCKET NO. 981642-TP

HEARING AND REPORTING

In re: Petition by e.spire Communications, Inc. and American Communication Services of Tampa, Inc., American Communications Services of Jacksonville, Inc. for Arbitration of an Interconnection Agreement with BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the Telecommunications Act of 1996.

DOCKET NO. 981745-TP

FILED: 1-26-99

MOTION TO SHORTEN TIME FOR RESPONSE TO DISCOVERY

COMES NOW Intermedia Communications Inc., ("Intermedia") and requests the Prehearing Officer to shorten the time for discovery responses to twenty (20) days in these consolidated proceedings, stating good cause as follows:

(1) On January 25, 1999, Intermedia served discovery on BellSouth Telecommunications, Inc., ("BellSouth") in consolidated Dockets Nos. 981642-TP and 981745-TP consisting of Interrogatories and a Request for Production of Documents.

(2) Florida Rules of Civil Procedure 1.340 and 1.360 provide for responses to interrogatories and requests for production of documents, respectively, to be made within thirty (30) days, but provide further that a shorter or longer time may be allowed. Rule 28-106.206, Florida Administrative Code, requires that discovery in administrative proceedings be conducted in accordance with the Florida Rules of Civil Procedure.

ACK \_\_\_\_\_  
AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
EG 3 \_\_\_\_\_  
JIN 5 \_\_\_\_\_  
JPC \_\_\_\_\_  
RCH \_\_\_\_\_  
VED 1 \_\_\_\_\_  
VAF \_\_\_\_\_  
Dth \_\_\_\_\_

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(3) Rebuttal testimony is scheduled to be filed in these proceedings by February 19, 1999.

(4) If BellSouth is permitted thirty (30) days in which to respond to Intermedia's discovery, those responses will not be available to Intermedia for preparation of its rebuttal testimony.

(5) Consequently, Intermedia represents to the Prehearing Officer that the time for BellSouth's response to Intermedia's discovery should appropriately be shortened to twenty (20) days.

(6) In Order No. PSC-99-0090-PCO-TP, the Prehearing Officer consolidated Docket No. 981642-TP with Docket No. 981745, the arbitration petition of American Communications Services of Jacksonville, Inc., d/b/a e.spire Communications, Inc., ("e.spire").

(7) On January 15, 1999, e.spire filed a Motion to Shorten Time for Response in Docket No. 981745 on a rationale similar to the one advanced here.

WHEREFORE Intermedia Communications Inc., respectfully requests that the Prehearing Officer issue an Order amending Order No. PSC-99-0090-PCO-TP and thereby set the time for response to discovery at twenty (20) days.

Dated this 26th day of January, 1999.

  
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**CERTIFICATE OF SERVICE**

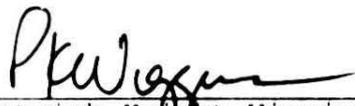
I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail or hand delivery (\*) this 26th day of January, 1999, to the following:

Ms. Nancy White\*  
c/o Ms. Nancy H. Sims  
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