

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning complaint of Intermedia Communications, Inc. Against GTE Florida Incorporated for breach of terms of Florida partial interconnection agreement under Sections 251 and 252 of the Telecommunications Act of 1996, and request for relief.

DOCKET NO. 980986-TP  
ORDER NO. PSC-99-0458-PCO-TP  
ISSUED: March 4, 1999

ORDER REVISING PROCEDURE, ADDING ISSUE  
AND CANCELLING HEARING

The procedures governing the schedule and conduct of this docket were set by Order No. PSC-98-1398-PCO-TP, issued October 19, 1998, and revised by Order No. PSC-99-0163-PCO-TP, issued January 26, 1999. By letter dated March 2, 1999, the parties to this proceeding informed the Commission of certain procedural stipulations. The parties agreed to stipulate all of the testimony into the record, waive their right to cross-examination on that testimony, to file supplemental, prefiled testimony by March 12, 1999, cancel the hearing set for March 9, 1999, and to file briefs as originally scheduled. According to the parties' stipulation, the supplemental testimony to be filed on March 9, 1999, will address the effect of the FCC's Declaratory Ruling on reciprocal compensation, issued February 26, 1999, on the issue in this case.

Based on the issue of the case set by Order No. PSC-99-0291-PHO-TP, issued February 12, 1999, the relevance of the recent FCC ruling to the issue of this case and the stipulation of the parties, the stipulation of the parties is accepted. The hearing in this proceeding is hereby cancelled with the concurrence of the Chairman's office. The following amendments to the schedule shall now control this proceeding:

Hearing	Cancelled
Transcripts due	Transcripts no longer necessary
Supplemental testimony due	March 12, 1999

All other dates remain the same as previously set forth in Order No. PSC-99-0163-PCO-TP.

DOCUMENT NUMBER-DATE  
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Further, the following issue shall be addressed by the parties in supplemental testimony and briefs:

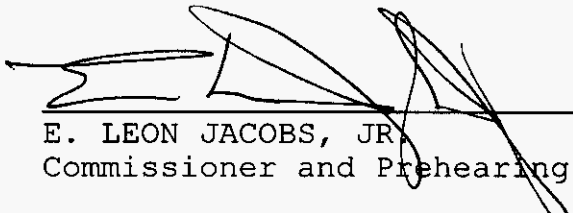
**ISSUE 2:** What is the effect of the FCC's Declaratory Ruling on reciprocal compensation, FCC 99-38, issued February 26, 1999, on the issue in this case?

All other provisions of the above-cited Orders are hereby reaffirmed.

Based on the foregoing, it is

ORDERED by Commissioner E. Leon Jacobs, as Prehearing Officer, that the provisions of this Order, together with Order Nos. PSC-99-0163-PCO-TP and PSC-98-1398-PCO-TP, shall govern this proceeding unless modified by the Commission.

By ORDER of Commissioner E. Leon Jacobs, Jr. as Prehearing Officer, this 4th day of March, 1999.

  
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E. LEON JACOBS, JR.  
Commissioner and Prehearing Officer

( S E A L )

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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 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.