

ORIGINAL

LAW OFFICES
MESSER, CAPARELLO & SELF
A PROFESSIONAL ASSOCIATION

215 SOUTH MONROE STREET, SUITE 701
POST OFFICE BOX 1876
TALLAHASSEE, FLORIDA 32302-1876
TELEPHONE: (850) 222-0720
TELECOPIERS: (850) 224-4359; (850) 425-1942
INTERNET: www.lawfla.com

September 28, 1999

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SEP 28 AM 11:35

RECORDS AND REPORTING

BY HAND DELIVERY

Ms. Blanca Bayo, Director
Division of Records and Reporting
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 990036-TP

Dear Ms. Bayo:

Enclosed for filing on behalf of e.spire Communications, Inc. are an original and fifteen copies of e.spire Communication, Inc.'s Motion for Continuance in the above captioned docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,

Norman H. Horton, Jr.
Norman H. Horton, Jr.

NHH/amb
Enclosure

- AFA _____
- APP _____
- CAF _____
- CMU James C. Falvey, Esq.
- CTR _____
- EAG _____
- LEG I
- MAS _____
- OPC _____
- PAI _____
- SEC I
- WAW _____
- OTH _____

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

11702 SEP 28 99

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

| | | |
|---|---|---------------------------|
| Complaint of e.spire Communications, Inc. for |) | |
| Enforcement of its Interconnection Agreement |) | Docket No. 990036-TP |
| With BellSouth Telecommunications, Inc. |) | Filed: September 28, 1999 |
| _____ |) | |

MOTION FOR CONTINUANCE

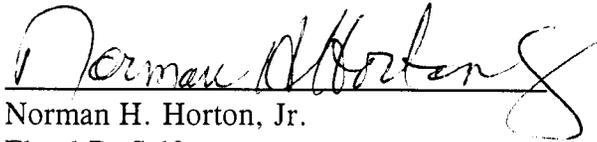
Comes now American Communications Services, Inc. - Jacksonville, Inc., d/b/a e.spire™ Communications, Inc. (“e.spire”), and files this Motion for Continuance. As basis e.spire would show:

1. On January 8, 1999, e.spire filed its complaint in this docket and on January 28 BellSouth Telecommunications, Inc. (“BellSouth”) filed a Motion to Dismiss and a response was filed February 19, 1999. Either at the request of/or with concurrence of a party, the complaint has been held in abeyance since the response was filed.

2. e.spire would, at this time request that this matter be continued until the parties notify the Commission that the Complaint should go forward. The subject of the Complaint is an issue of discussion and negotiation between the parties as part of interconnection agreement discussions and the issue may be resolved therein. It is not known how – or if – this dispute will be resolved but a continuance would be the most efficient use of assets at this time. If the parties agree on a resolution of the issue the Complaint may be withdrawn but if the parties agree to litigate the issue then the question can be presented to the Commission.

3. This request has been discussed with counsel for BellSouth and BellSouth has no objection to the requested continuance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Norman H. Horton, Jr.", written over a horizontal line.

Norman H. Horton, Jr.

Floyd R. Self

Messer, Caparello & Self, P.A.

215 S. Monroe Street, Suite 701

P.O. Box 1876

Tallahassee, FL 32302-1876

(850) 222-0720

Attorneys for e.spire Communications, Inc.

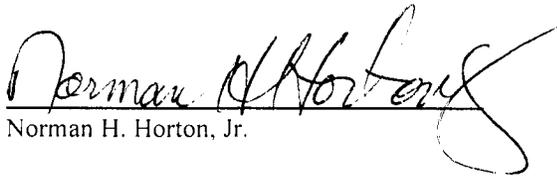
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the e.spire Communications, Inc.'s Motion for Continuance in Docket No. 990036-TP have been served upon the following parties by Hand Delivery (*) and/or U.S. Mail this 28th day of September, 1999.

Donna Clemons, Esq.*
Division of Legal Services, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Ms. Nancy White
BellSouth Telecommunications, Inc.
150 West Flagler Street, Suite 1910
Miami, FL 33130

Mary K. Keyer, Esq.
BellSouth Telecommunications, Inc.
675 West Peachtree, Suite 4300
Atlanta, Ga 30375


Norman H. Horton, Jr.