

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for Generic Investigation to Ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and GTE Florida Incorporated Comply with Obligation to Provide Alternative Local Exchange Carriers with Flexible, Timely, and Cost-efficient Physical Collocation.

Docket No. 990321-TP

ORIGINAL

RECORDS AND REPORTING

99 NOV 24 PM 4: 26

RECEIVED-FPSC

Petition of Competitive Carriers for Commission Action to Support Local Competition in BellSouth Telecommunications, Inc.'s Service Territory.

Docket No. 981834-TP

Filed: November 24, 1999

**MOTION OF COVAD COMMUNICATIONS COMPANY
FOR LEAVE TO FILE PREHEARING STATEMENT OUT OF TIME**

COMES NOW Covad Communications Company ("Covad"), through its counsel, and moves this Commission, through the Prehearing Officer, to grant it leave to file its prehearing Statement three days out of time, stating good cause as follows.

- 1) In Order No. PSC-99-1991-PCO-TP, Order Establishing Procedure, issued October 12, 1999, the Prehearing Officer established November 19, 1999, as the date by which prehearing statements in this proceeding were to be filed.
- 2) Through the press of numerous filings in several jurisdictions with simultaneous due dates, Covad was unable to prepare and file its Prehearing Statement on November 19, 1999, as required by the Order Establishing Procedure.

Covad acknowledges the admonition in the Order Establishing Procedure concerning timely filing of prehearing statements, and its significance and consequences. Nevertheless, Covad respectfully suggests that it would be disproportionately punitive in a proceeding of this

AFA _____
 APP _____
 CAF _____
 CMU 3
 CTR _____
 EAG _____
 LEG 2
 MAS 3
 OPC _____
 PAI _____
 SEC 1
 WAW _____
 OTH _____

RECEIVED & FILED

 FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
 14497 NOV 24 99
 FPSC-RECORDS/REPORTING

nature, in which the issues at stake are so strongly related to Covad's successful entry into competitive markets in Florida, were the Prehearing Officer to invoke the stated sanctions.

4) Covad states that it has taken forthright steps to complete its Prehearing Statement as quickly as possible so as to minimize the lateness of its filing and the inconvenience to the Commission and the other parties of record that its late filing may cause. Covad respectfully suggests further that its late filing will not prejudice the interests of any of the other parties in this proceeding nor impair the Commission's ability to fairly and efficiently resolve the issues herein in dispute.

5) Pursuant to Rule 1.090(b), Florida Rules of Civil Procedure, the Prehearing Officer may grant an enlargement of time upon a finding of "excusable neglect."

WHEREFORE Covad Communications Company apologizes for its failure to meet the requirements of the Order Establishing Procedure and respectfully requests that the Prehearing Officer grant its Motion for Leave to File Prehearing Statement Out of Time, permitting Covad Communications Company to continue its participation in this proceeding with full privileges intact.



Charles J. Pellegrini
Wiggins & Villacorta, P.A.
2145 Delta Boulevard, Suite 200
Tallahassee, Florida 32303
Tel. 850 385 6007
Fax 850 385 6008
email cjpellegrini@nettally.com

Counsel for Covad Communications Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via U.S.

Mail this 24th day of November, 1999 to the following:

BellSouth Telecommunications, Inc.
Ms. Nancy H. Sims
150 South Monroe St., Suite 400
Tallahassee, FL 32301-1556
Phone: (850) 224-7798
Fax: (850) 222-8640

AT&T Communications of the
Southern States, Inc.
Ms. Rhonda P. Merritt
101 North Monroe St., Suite 700
Tallahassee, FL 32301-1549
Phone: (805) 425-6342
Fax: (805) 425-6361

ACI Corp.
7337 S. Revere Parkway
Englewood, CO 80112
Phone: (303) 476-4200

Accelerated Connections, Inc.
7337 South Revere Parkway
Englewood, CO 33414
Phone: (303) 476-4200

BellSouth Telecommunications, Inc. (Mia)
Nancy B. White
150 West Flagler St., Suite 1910
Miami, FL 33130
Phone: (305) 347-5558
Fax: (305) 577-4061

BellSouth Telecommunications, Inc.
(Atl)
E. Earl Edenfield, Jr.
675 W. Peachtree St., #4300
Atlanta, GA 30375
Phone: (404) 335-0763
Fax: (404) 614-4054

Blumenfeld & Cohen
Elise Kiely/Jeffrey Blumenfeld
1625 Massachusetts Ave. NW
Suite 300
Washington, DC 20036
Phone: (202) 955-6300
Fax: (202) 955-6460

WorldCom Technologies, Inc.
Donna McNulty, Esq.
325 John Knox Road, Suite 105
Tallahassee, FL 32303
Phone: (850) 422-1254
Fax: (850) 422-2586

e.spire Communications, Inc.
James Falvey
133 National Business Parkway
Suite 200
Annapolis Junction, MD 20701
Phone: (301) 361-4298
Fax: (301) 361-4277

Florida Cable Telecommunications
Assoc., Inc.
Michael A. Gross
310 N. Monroe St.
Tallahassee, FL 32301
Phone: (850) 681-1990
Fax: (850) 681-9676

Florida Competitive Carriers Assoc.
c/o McWhirter Law Firm
Vicki Kaufman
117 S. Gadsden St.
Tallahassee, FL 32301
Phone: (850) 222-2525
Fax: (850) 222-5606

Florida Public Telecommunications
Assoc.
Angela Green, General Counsel
125 S. Gadsden St., #200
Tallahassee, FL 32301-1525
Phone: (850) 222-5050
Fax: (850) 222-1355

GTE Florida Incorporated
Kimberly Caswell
P.O. Box 110, FLTC0007
Tampa, FL 33601-0110
Phone: (813) 483-2617
Fax: (813) 223-4888

Hopping Law Firm
Richard Melson/Gabriel Nieto
P.O. Box 6526
Tallahassee, FL 32314
Phone: (850) 222-7500
Fax: (850) 224-8551

GTE Florida Incorporated
Ms. Beverly Y. Menard
c/o Ms. Margo B. Hammar
106 East College Avenue, Suite 810
Tallahassee, FL 32301-7704
Phone: (813) 483-2526
Fax: (813) 223-4888

Intermedia Communications, Inc.
Scott Sapperstein
3625 Queen Palm Drive
Tampa, FL 33619-1309
Phone: (813) 621-0011
Fax: (813) 829-4923

Lockheed Martin IMS
Anita L. Fourcard
Communications Industry Services
1200 K Street, N.W.
Washington, DC 20005
Phone: (202) 414-3724
Fax: (202) 408-5922

MCImetro Access Transmission
Services LLC
Ms. Donna Canzano McNulty
325 John Knox Road, Suite 105
Tallahassee, FL 32303
Phone: (850) 422-1254
Fax: (850) 422-2586

McWhirter Law Firm
Joseph McGlothlin/Vicki Kaufman
117 S. Gadsden St.
Tallahassee, FL 32301
Phone: (850) 222-2525
Fax: (850) 222-5606

MediaOne Florida Telecommunications,
Inc.
c/o Laura L. Gallagher
101 E. College Ave., Suite 302
Tallahassee, FL 32301
Phone: (850) 224-2211
Fax: (850) 561-3611

Messer Law Firm
Floyd Self/Norman Horton
P.O. Box 1876
Tallahassee, FL 32302
Phone: (850) 222-0720
Fax: (850) 224-4359

MGC Communications, Inc.
Susan Huther
3301 North Buffalo Drive
Las Vegas, NV 89129
Phone: (702) 310-4272

Pennington Law Firm
Peter Dunbar/Barbara Auger/Marc Dunbar
P.O. Box 10095
Tallahassee, FL 32301
Phone: (850) 222-3533
Fax: (850) 222-2126

Sprint Communications Company
Limited Partnership
Susan Masterton/Charles Rehwinkel
P.O. Box 2214
MC: FLTLHO0107
Tallahassee, FL 32316-2214
Phone: (850) 847-0244
Fax: (850) 878-0777

Sprint-Florida, Incorporated
Mr. F. B. (Ben) Poag
P.O. Box 2214 (MCFLTLHO0107)
Tallahassee, FL 32316-2214
Phone: (850) 599-1027
Fax: (407) 814-5700

Supra Telecommunications &
Information Systems, Inc.
Mark E. Buechele
2620 S. W. 27th Avenue
Miami, FL 33133
Phone: (305) 531-5286
Fax: (305) 476-4282

TCG South Florida
c/o Rutledge Law Firm
Kenneth Hoffman
P.O. Box 551
Tallahassee, FL 32302-0551
Phone: (850) 681-6788
Fax: (850) 681-6515

Telecommunications Resellers Assoc.
Andrew Isar
3220 Uddenberg Lane, Suite 4
Gig Harbor, WA 98335
Phone: (253) 851-6700
Fax: (253) 851-6474

Time Warner Telecom
Ms. Carloyn Marek
233 Bramerton Court
Franklin, TN 37069
Phone: (615) 376-6404
Fax: (615) 376-6405

Time Warner Telecom
2301 Lucien Way, Suite 300
Maitland, FL 32751

CompTel
Terry Monroe
1900 M Street, NW, Suite 800
Washington, DC 20036
Phone: (202) 296-6650


Charles J. Pellegrini