

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition by BellSouth Telecommunications, Inc.)
for approval of arbitration of an interconnection)
agreement with US LEC of Florida, Inc. pursuant)
to the Telecommunications Act of 1996.)
_____)

Docket No. 000084-TP

Filed: May 18, 2000

**US LEC OF FLORIDA, INC.'S SECOND
MOTION FOR EXTENSION OF TIME TO FILE
RESPONSE TO BELL SOUTH'S PETITION FOR ARBITRATION**

US LEC of Florida, Inc. ("US LEC"), by and through its undersigned counsel, and pursuant to Rule 28-106.204, Florida Administrative Code, hereby files its Second Motion for Extension of Time to respond to the Petition for Arbitration filed by BellSouth Telecommunications, Inc. ("BellSouth") in this docket. In support of its Motion, US LEC states as follows:

1. On January 25, 2000, BellSouth filed its Petition for Arbitration of an interconnection agreement with US LEC pursuant to the Telecommunications Act of 1996. BellSouth's Petition raises a host of issues which remain disputed, open issues between BellSouth and US LEC for purposes of reaching a final interconnection agreement.

2. In order to allow additional time to allow US LEC to opt into a Commission approved interconnection agreement between BellSouth and other carriers that satisfactorily address all or substantially all of the unresolved issues between US LEC and BellSouth, US LEC filed a motion for a ninety day extension of time to respond to BellSouth's Petition for Arbitration. By Order issued April 6, 2000 in this docket, the Prehearing Officer granted US LEC's request.¹ US LEC's response to BellSouth's Petition is currently due May 19, 2000.

¹See Order No. PSC-00-0645-PCO-TP.

DOCUMENT NUMBER-DATE

06194 MAY 18 8

FPSC-RECORDS/REPORTING

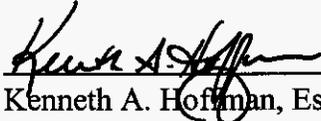
3. Although US LEC has diligently researched and reviewed the interconnection agreements filed by BellSouth with the Commission following the filing of US LEC's motion for extension of time on February 14, 2000, there is no BellSouth interconnection agreement on file with the Commission which satisfactorily addresses the unresolved issues between US LEC and BellSouth and which is scheduled to remain in effect for a reasonable period of time, i.e., at least two years.

4. Therefore, US LEC requests a second extension of time of sixty (60) days to allow US LEC additional time to review new interconnection agreements negotiated by other alternative local exchange companies with BellSouth or arbitrated by the Commission resolving the open issues between BellSouth and US LEC. Concurrent with this request, US LEC also consents to an extension of the Commission's deadline set forth in 47 U.S.C. §252(b)(4)(C) for the resolution of disputed interconnection agreement issues by an additional sixty (60) days. This would allow US LEC the opportunity to opt in, pursuant to 47 U.S.C. §252(i), to a more recent BellSouth interconnection agreement reflecting the current state of negotiated or arbitrated local interconnection rates, terms and conditions (as well as other terms and conditions), for a reasonable period of time, without incurring the time, expense and expenditure of resources necessary to litigate an arbitration proceeding with BellSouth. The relief requested by US LEC also is intended to avoid the expenditure of time and resources by BellSouth and the Commission to rearbitrate these same issues pending the final approval of negotiated BellSouth interconnection agreements or interconnection agreements resulting from the Commission's other arbitration proceedings involving BellSouth.

5. Counsel for US LEC has conferred with counsel for BellSouth and is authorized to represent that BellSouth has no objection to the relief requested herein.

WHEREFORE, for the foregoing reasons, US LEC respectfully requests that the Prehearing Officer enter an Order granting this motion and allowing US LEC up to and until July 18, 2000 to file its response to BellSouth's Petition for Arbitration.

Respectfully submitted,



Kenneth A. Hoffman, Esq.

John R. Ellis, Esq.

Rutledge, Ecenia, Purnell & Hoffman, P.A.

P. O. Box 551

Tallahassee, Florida 32302

(850) 681-6788 (Telephone)

(850) 681-6515 (Telecopier)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by hand delivery(*) or U. S. Mail to the following this 18th day of May, 2000:

Michael P. Goggin, Esq.
c/o Nancy H. Sims
150 South Monroe Street
Suite 400
Tallahassee, Florida 32301-1556

Diana Caldwell, Esq. (*)
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Room 370
Tallahassee, FL 32399-0850


Kenneth A. Hoffman, Esq.

USLEC/extension