

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Sprint-Florida, Incorporated for violation of service standards.

DOCKET NO. 991377-TL  
ORDER NO. PSC-00-1190-PCO-TL  
ISSUED: June 30, 2000

ORDER GRANTING JOINT MOTION FOR CONTINUANCE OF HEARING,  
SUSPENDING ALL OTHER CONTROLLING DATES AND  
SETTING SCHEDULING CONFERENCE

On September 10, 1999, a docket was established to initiate show cause proceedings against Sprint-Florida, Incorporated (Sprint) for its apparent violations of service standards. On September 17, 1999, the Office of Public Counsel (OPC) filed a Notice of Intervention that was acknowledged by Order No. PSC-99-2493-PCO-TL, issued December 20, 1999. Pursuant to the Order Establishing Procedure, Order No. PSC-00-0869-PCO-TL, issued May 2, 2000, this matter has been scheduled for an administrative hearing on September 6, 2000. The Order Establishing Procedure required that the Commission staff's (staff) direct testimony be filed on May 17, 2000. By Order No. PSC-00-1020-PCO-TL, issued May 23, 2000, the filing date for staff's direct testimony was modified to May 31, 2000. By Order No. PSC-00-1055-PCO-TL, the testimony filing dates in this docket were again modified at the request of Sprint. On June 7, 2000, the parties filed a joint motion requesting a continuance of the hearing dates and suspension of all filing dates. However, on June 9, 2000, OPC filed a notice of the withdrawal of the Joint Motion for Continuance. Thereafter, on June 23, 2000, OPC and Sprint filed a Renewal of Joint Motion for Continuance of the Hearing requesting that all remaining testimony filing dates be suspended and a hold a scheduling conference to consider new hearing dates.

In the Joint Motion, the parties request that the hearing be continued and that all testimony filing dates be suspended pending establishment of new hearing dates. The parties further state that they now believe that their limited resources are best directed to resolving their differences, rather than on preparing for litigation that may not be necessary. Sprint and OPC state that they hope to achieve a solution that best benefits the public, without the time and expense of a hearing.

Based upon the foregoing, I believe it is reasonable to grant the Joint Motion for Continuance of Hearing in order to allow the parties in this matter additional time to achieve a solution that best benefits the public. In order to maintain procedural structure, however, a scheduling conference will be set for the

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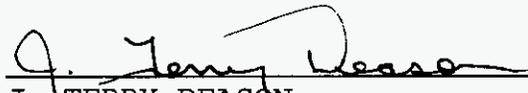
purpose of establishing new time guidelines for the resolution of this matter. Accordingly, all controlling dates, including the hearing date, set forth in Order No. PSC-00-0869-PCO-TL and Order No. PSC-00-1055-PCO-TL shall be suspended until further notice.

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that the Joint Motion for Continuance of Hearing is granted. All controlling dates set forth in Order No. PSC-00-0869-PCO-TL and Order No. PSC-00-1055-PCO-TL shall be suspended pending further Order of the Commission. It is further

ORDERED that all parties will appear at a scheduling conference to be held on the 21st of July, 2000, for the purpose of establishing controlling guidelines for the resolution of this matter.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 30th day of June, 2000.

  
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J. TERRY DEASON  
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.