

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by Southeastern Services, Inc. for termination of rural LEC exemption of Northeast Florida Telephone Company, Inc., pursuant to 47 U.S.C. 251 (f) (1) (B) of the Telecommunications Act of 1996.

DOCKET NO. 000601-TP
ORDER NO. PSC-00-1383-FOF-TP
ISSUED: July 31, 2000

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
E. LEON JACOBS, JR.
LILA A. JABER

ORDER ACKNOWLEDGING SOUTHEASTERN SERVICES, INC.'S
WITHDRAWAL OF PETITION

BY THE COMMISSION:

On May 17, 2000, Southeastern Services, Inc. (Southeastern) notified this Commission that it had requested an Interconnection Agreement with Northeast Florida Telephone Company (Northeast) and asked this Commission to eliminate Northeast's status as a rural telephone company under section 251(f) (1) of the Telecommunications Act of 1996 (the Act).

On May 23, 2000, Northeast filed a notice that it wished to depose the officers of Southeastern. On May 24, 2000, Southeastern filed an objection and motion for protective order. Northeast filed its response on May 25, 2000. Southeastern's motion was denied by Order PSC-00-2016-PCO-TP, issued on June 8, 2000.

On June 8, 2000, an issue identification meeting was held to identify and discuss issues involved in the docket, as well as any procedural matters. As a result of that meeting, the parties agreed to attempt to resolve certain issues in order to limit the

DOCUMENT NUMBER-DATE

09203 JUL 31 8

FPSO-RECORDS/REPORTING

ORDER NO. PSC-00-1383-FOF-TP
DOCKET NO. 000601-TP
PAGE 2

scope of the hearing. Subsequently, the parties reached sufficient resolution to eliminate the need for a hearing.

On June 15, 2000, Southeastern filed a letter with this Commission stating "Southeastern herewith withdraws the request for elimination of the 'rural telephone exemption' for Northeast without prejudice to seeking a review of that status at a later date if necessary."

Southeastern's withdrawal of its request eliminates the need for this Commission to take any action under 251(f) with regard to Northeast's rural exemption. There has been no significant action taken in this docket to date. Therefore, we hereby acknowledge Southeastern's withdrawal of its request to eliminate Northeast's status as a rural carrier under Section 251(f)(1) of the Act.

With the withdrawal of Southeastern's request, no other action will remain for this Commission to address; therefore, this docket shall be closed upon issuance of this Order.

Based on the foregoing, it is

ORDERED that Southeastern Services, Inc.'s withdrawal of its petition is hereby acknowledged.

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 31st day of July, 2000.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

FRB

ORDER NO. PSC-00-1383-FOF-TP
DOCKET NO. 000601-TP
PAGE 3

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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) 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 and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.