

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies.

DOCKET NO. 000121-TP
ORDER NO. PSC-00-2345-PCO-TP
ISSUED: December 7, 2000

ORDER GRANTING INTERVENTION

By Petition, KMC Telecom, Inc., KMC Telecom II, Inc. and KMC Telecom III, Inc. (collectively, KMC) have requested permission to intervene in this proceeding. KMC states that it is a certificated alternate local exchange company (ALEC) in the State of Florida, authorized by this Commission to provide local telecommunications services. KMC states that this proceeding will address issues related to operations support systems, including service quality measurements, enforcement measurements, benchmarks, analogs and an enforcement plan. KMC states that performance metrics set by the Commission in this proceeding are of utmost importance to KMC's ability to provide service in Florida. Thus, KMC states that any decision in this case will substantially affect KMC's interests.

Having reviewed the Petition, it appears that KMC's substantial interests may be affected by this proceeding. As an ALEC operating in Florida, KMC states that performance metrics related to operations support systems are of importance to its ability to provide service in Florida. Thus, KMC has sufficiently demonstrated that its substantial interests may be affected by the outcome of this proceeding. Pursuant to Rule 25-22.039, Florida Administrative Code, KMC takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by KMC Telecom, Inc., KMC Telecom II, Inc. and KMC Telecom III, Inc. is hereby granted. It is further

DOCUMENT NUMBER-DATE

15687 DEC-78

FPSC-RECORDS/REPORTING

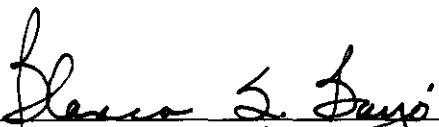
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ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Vicki Gordon Kaufman
McWhirter, Reeves, McGlothlin, Davidson,
Decker, Kaufman, Arnold & Steen, P.A.
117 South Gadsden Street
Tallahassee, FL 32301

John D. McLaughlin, Jr.
KMC Telecom
1755 North Brown Road
Lawrence, GA 30043

By ORDER of the Florida Public Service Commission this 7th Day of December, 2000.



BLANCA S. BAYO, Director
Division of Records and Reporting

(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.

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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.