

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by ITC^DeltaCom  
Communications, Inc. d/b/a  
ITC^DeltaCom for arbitration of  
certain unresolved issues in  
interconnection negotiations  
between ITC^DeltaCom and  
BellSouth Telecommunications,  
Inc.

DOCKET NO. 990750-TP  
ORDER NO. PSC-01-0129-PCO-TP  
ISSUED: January 17, 2001

The following Commissioner participated in the disposition of this matter:

E. LEON JACOBS, JR., Chairman

ORDER GRANTING AGREED MOTION FOR EXTENSION OF TIME

BY THE COMMISSION:

On June 11, 1999, ITC^DeltaCom Communications, Inc., d/b/a ITC^DeltaCom (DeltaCom) filed a Petition for Arbitration pursuant to Section 252(b) of the Telecommunications Act of 1996 (Act)<sup>1</sup> seeking arbitration of certain unresolved issues in the interconnection negotiations between DeltaCom and BellSouth Telecommunications, Inc. (BellSouth). On July 6, 1999, BellSouth filed its response.

An administrative hearing on the issues was held October 27-29, 1999. On March 15, 2000, the final order on arbitration, Order No. PSC-00-0537-FOF-TP, (Final Order) was issued. On March 30, 2000, BellSouth filed a Motion for Reconsideration of the Final Order. On April 11, 2000, DeltaCom filed its Response to BellSouth's Motion for Reconsideration.

On November 22, 2000, the final order on arbitration, Order No. PSC-00-2233-FOF-TP, was issued which among other things, required the agreement to be filed within 20 days of the date the

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<sup>1</sup> 47 U.S.C. 252(b)

DOCUMENT NUMBER-DATE

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FILED IN THE OFFICE OF THE CLERK

ORDER NO. PSC-01-0129-PCO-TP  
DOCKET NO. 990750-TP  
PAGE 2

order was issued. On December 12, 2000, the parties filed an Agreed Motion for Extension of Time.

In support of their Motion, DeltaCom and BellSouth state that because the interconnection agreement has not been completed and due to the upcoming holidays, it requests an extension of time for filing a new interconnection agreement until 30 days from December 12, 2000.

Upon Consideration, we believe that because the parties have agreed to this extension and it appears no interests will be harmed by the granting of the extension, it would be reasonable to grant the extension. Pursuant to the request, the agreement would be due January 11, 2001. Therefore, the parties' request to grant the Agreed Motion for extension of time is hereby granted.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Agreed Motion for Extension of Time to file the Agreement between ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom and BellSouth Telecommunications, Inc. is hereby granted. The docket shall remain open until the agreement has been filed and the final action is taken.

By ORDER of the Florida Public Service Commission this 17th day of January, 2001.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( 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.