

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for review of
proposed numbering plan relief
for the 305/786 area code - Dade
County and Monroe County/Keys
Region.

DOCKET NO. 990455-TL
ORDER NO. PSC-01-0398-PCO-TL
ISSUED: February 16, 2001

ORDER GRANTING MOTION FOR EXTENSION OF TIME TO FILE TESTIMONY

By Order No. PSC-00-1937-PAA-TL, issued on October 20, 2000, in consolidated Dockets Nos. 990455-TL, 990456-TL, 990457-TL and 990517-TL, this Commission approved numbering relief plans for the 305/786, 561, 954 and 904 area codes, respectively. By proposed agency action (PAA) within that Order, the Commission ordered the implementation of rate center consolidation and code sharing in the 307/786 area code for the Miami-Dade and Keys regions. By the PAA, the Commission also ordered BellSouth Telecommunications, Inc. to ballot the customers in those regions to determine if they are willing to pay a rate additive to implement rate center consolidation in this region.

On November 7, 2000, AT&T of the Southern States, Inc. (AT&T) and other carrier parties to these dockets filed a motion for reconsideration and a request for hearing on the PAA portion of Order No. PSC-00-1937-PAA-TL. The request for hearing regarding the PAA action was timely filed; however, the motion for reconsideration was filed one day after the 15-day deadline set forth in Rule 25-22.060, Florida Administrative Code. On November 13, 2000, timely PAA protests were also filed by the Office of Public Counsel (OPC) and BellSouth Telecommunication, Inc. (BellSouth).

On November 20, 2000, BellSouth and Cingular Wireless LLC each filed a notice of appeal of the final action portions of Order No. PSC-00-1937-PAA-TL with the Florida Supreme Court (Court). This Commission subsequently filed a Motion to Relinquish Jurisdiction to resolve certain issues contained in the motion for reconsideration. The Court granted our motion on January 2, 2001.

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By Order No. PSC-01-0241-PCO-TL (Order Establishing Procedure), issued January 26, 2001, procedural dates were established for Docket No. 990455-TL, including a prefiled testimony date of February 16, 2001. The Order Establishing Procedure also identified tentative issues to be addressed in this proceeding.

On February 2, 2001, all parties to this docket, except for OPC, filed an offer of settlement to resolve the outstanding PAA protest on code sharing and the issues raised in the motion for reconsideration. The settlement indicates, however, that OPC does not object to it. On February 2, 2001, BellSouth Telecommunications, Inc. filed a Motion to Resolve Reconsideration or Challenges to Rate Center Consolidation for the Miami-Dade 305/786 Region to settle its protest of the rate center consolidation issue in Miami-Dade. The PAA issues on rate center consolidation in the Keys Region have been resolved by Order No. PSC-01-0091-PAA-TL, issued January 10, 2001, in Docket No. 920260-TL.

On February 14, 2001, AT&T filed a Motion for Extension of Time to file the direct testimony due in Docket No. 990455-TL. AT&T requests that this Commission extend the time for filing testimony until after the Commission has ruled on the proposed settlement offers. AT&T states that it believes the pending settlement offers will resolve both the PAA protests and the motion for reconsideration. AT&T also states that it has been authorized by all parties to the PAA protests to represent that they support AT&T's Motion for Extension of Time.

Upon consideration, I find it appropriate to grant AT&T's motion. I anticipate that Commission staff will present recommendations on the proposed settlement offers during the March 6, 2001 Agenda Conference. AT&T's motion is granted to extend the direct testimony filing date until after the March 6, 2001 Agenda Conference, or as soon thereafter that this Commission rules upon the proposed settlements. In the event that any PAA issues are not resolved by those rulings, new procedural dates for Docket No. 990455-TL will immediately be established.

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Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that AT&T Communications of the Southern States, Inc.'s Motion for Extension of Time is hereby granted as set forth in the body of this Order.

By ORDER of Commissioner J. Terry Deason as Prehearing Officer, this 16th Day of February, 2001.



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)

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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.