

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

Petition of AT&T Communications
of the Southern States, Inc., TCG South
Florida, and MediaOne Florida
Telecommunications, Inc. For Structural
Separation of BellSouth
Telecommunications, Inc.

Docket No. 010345-TP
Filed: April 19, 2001

**MOTION OF AT&T COMMUNICATIONS OF THE
SOUTHERN STATES, INC., TCG SOUTH FLORIDA, AND MEDIAONE FLORIDA
TELECOMMUNICATIONS, INC. FOR EXTENSION OF TIME TO RESPOND
TO MOTION TO DISMISS OR IN THE ALTERNATIVE MOTION
TO STRIKE FILED BY BELLSOUTH TELECOMMUNICATIONS, INC.**

Petitioner AT&T Communications of the Southern State, Inc., TCG South Florida, and MediaOne Florida Telecommunications, Inc. ("AT&T"), by and through undersigned counsel and pursuant to Rule 28-106.204 of the Florida Administrative Code, hereby moves the Prehearing Officer assigned to this docket to issue an order granting a thirty-day (30) extension, until May 23, 2001, within which AT&T may file a response to BellSouth's motion to dismiss.

In support of this motion, AT&T states:

1. On March 21, 2001, by Petition filed herein, AT&T asked the Florida Public Service Commission ("Commission") to exercise its plenary powers to institute proceedings and to enter an appropriate order requiring the structural separation of BellSouth Telecommunications, Inc. ("BellSouth") into two (2) distinct wholesale and retail corporate subsidiaries.
2. On April 10, 2001, BellSouth filed a Motion to Dismiss or in the alternative Motion to Strike, raising numerous jurisdictional challenges to the Commission's authority to institute

proceedings and grant the relief requested, including challenges based on Florida and federal statutory and constitutional law.

3. Currently, AT&T has until April 23, 2001, to respond to BellSouth's motion to dismiss.

4. On April 18, 2001, AT&T retained the undersigned firm to represent it in these proceedings, and intends to respond to BellSouth's motion to dismiss.

5. The requested enlargement of time is necessary to allow AT&T sufficient time to consult with its new counsel, so that AT&T may respond fully to the issues raised in BellSouth's motion to dismiss. Preparation of a response will require a comprehensive review of state and federal statutes and decisions on a number of issues. Additionally, BellSouth has raised decades of legislative history, materials which are nearly impossible to research in such a short time frame.

6. The requested extension will not cause any unnecessary delay in the resolution of these proceedings. Rather, the requested extension will afford the Commission the opportunity of full briefing on the important issues before it.

7. AT&T has consulted with BellSouth regarding this Motion and has determined that BellSouth does not object to a fourteen (14) day extension of time. However, for the reasons set forth above, a thirty (30) day extension is warranted and entirely appropriate in these circumstances.

WHEREFORE, AT&T respectfully requests that the Prehearing Officer issue an order allowing AT&T until May 23, 2001 to respond to BellSouth's motion to dismiss.

Respectfully submitted,

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-and-

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the *Motion of AT&T Communications of the Southern States, Inc., TCG South Florida, and MediaOne Florida Telecommunications, Inc. for Extension of Time to Respond to Motion to Dismiss or in the Alternative Motion to Strike filed by BellSouth Telecommunications, Inc.* were sent via U.S. mail this 19th day of April, 2001 to:

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