

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into  
allegations of anti-competitive  
behaviors and practices of  
Verizon Florida Inc.

DOCKET NO. 011076-TL  
ORDER NO. PSC-01-1838-PCO-TL  
ISSUED: September 12, 2001

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition, XO Florida, Inc. (XO), has requested permission to intervene in this proceeding. XO states that it is certified as a provider of competitive local exchange services in Florida. As a Florida ALEC, XO has substantial interest in ensuring that anticompetitive practices in the Florida telecommunications market are eliminated. Accordingly, any decision by us in this docket will affect the substantial interests of XO.

Having reviewed the Petition, it appears that XO's substantial interests may be affected by this proceeding. Any decision made by this Commission in this matter may have an impact on XO's ability to continue providing competitive telecommunications services in the area served by Verizon Florida, Inc. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, XO takes the case as it finds it.

It is, therefore

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by XO Florida, Inc., be and the same is hereby granted. It is further

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:

Dana Shaffer  
XO Communications, Inc.  
105 Molloy St., Suite 300  
Nashville, TN 37201  
(615)777-7700 Telephone  
(615)345-1564 FAX  
[dana.shaffer@xo.com](mailto:dana.shaffer@xo.com)

Vicki Gordon Kaufman  
McWhirter, Reeves, McGlothlin,  
Davidson, Decker, Kaufman,  
Arnold & Steen, PA  
117 South Gadsden Street  
Tallahassee, FL 32301  
(850)222-2525 Telephone  
(850)222-5606 FAX  
[Vkaufman@mac-law.com](mailto:Vkaufman@mac-law.com)

DOCUMENT NUMBER-DATE

11378 SEP 12 01

FPSC-COMMISSION CLERK

ORDER NO. PSC-01-1838-PCO-TL  
DOCKET NO. 011076-TL  
PAGE 2

By ORDER of the Florida Public Service Commission this 12th  
Day of September, 2001.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records and Hearing  
Services

( S E A L )

CLF

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.

ORDER NO. PSC-01-1838-PCO-TL

DOCKET NO. 011076-TL

PAGE 3

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 the Commission Clerk and Administrative Services, 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.