

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration  
concerning complaint of  
BellSouth Telecommunications,  
Inc. against Supra  
Telecommunications and  
Information Systems, Inc. for  
resolution of billing disputes.

DOCKET NO. 001097-TP  
ORDER NO. PSC-02-0208-PCO-TP  
ISSUED: February 18, 2002

ORDER GRANTING SUPRA'S MOTION FOR LEAVE TO  
FILE DIRECT TESTIMONY ONE DAY LATE

By Order No. PSC-02-0143-PCO-TP, issued January 31, 2002 (Order Setting Matter For Rehearing and Establishing Procedure), the prehearing conference, hearing, and other key activities dates were set forth for the hearing process in this case. In that Order, the parties were required to file direct testimony and exhibits on February 8, 2002. On February 11, 2002, Supra filed a Motion for Leave to File Direct Testimony One Day Late.

In support of its Motion, Supra states that late in the afternoon on February 8, 2002, it realized that portion of its direct testimony contained information that BellSouth might consider confidential. Supra contends that in an effort to mitigate divulging such information, it proceeded to redact the testimony, which resulted in Supra missing the filing deadline. Supra states that it arrived at approximately 5:05 p.m. at our Bureau of Records and Hearing Services. Supra indicates that since the office was closed it slipped a copy of its Notice of Filing under the office door and then later deposited copies of its direct testimony and its Motion in the Commission's drop box by the Easley Building. Supra contends that it timely served copies of its direct testimony to BellSouth via Federal Express. Supra argues that BellSouth would not be unfairly prejudiced should Supra be granted leave to file its direct testimony one day late. Staff counsel contacted counsel for BellSouth who had no objection to Supra's Motion.

The testimony at issue was received only one business day after the due date and the Motion was not opposed by BellSouth. It appears that BellSouth would not be prejudiced by the granting of this Motion. Accordingly, Supra's Motion is granted.

DOCUMENT NUMBER-DATE

01850 FEB 18 2002

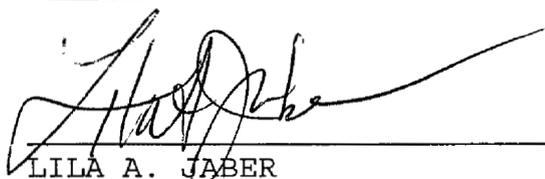
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Based on the foregoing, it is

ORDERED by Chairman Lila A. Jaber, as Prehearing Officer, that Supra Telecommunications and Information Systems, Inc.'s Motion for Leave to File Direct Testimony One Day Late is hereby granted.

By ORDER of Chairman Lila A. Jaber, as Prehearing Officer, this 18th day of February, 2002.

  
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LILA A. JABER  
Chairman 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) 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,

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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.