

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of ALEC, Inc.
for enforcement of
interconnection agreement with
Sprint-Florida, Incorporated and
request for relief.

DOCKET NO. 020099-TP
ORDER NO. PSC-02-0340-PCO-TP
ISSUED: March 14, 2002

ORDER ON MOTION FOR EXTENSION OF TIME

On February 5, 2002, ALEC, Inc. f/k/a Metrolink (ALEC), a subsidiary of Duro Communications Corp., filed a Complaint for Enforcement of an Interconnection Agreement with Sprint-Florida, Incorporated and Request for Relief. On March 4, 2002, Sprint-Florida, Incorporated (Sprint) filed a Motion to Dismiss Count II and Answer in response to the complaint filed by ALEC.

On March 8, 2002, ALEC and Sprint (the Parties) jointly filed a Motion for Extension of Time for ALEC to file a Response to the Motion to Dismiss Count II of ALEC's Complaint. Pursuant to Rules 25-106.103 and 25-106.204(1), Florida Administrative Code, ALEC's response is due March 16, 2002. The parties request a 10-day extension from the deadline to file a response.

The Parties state that they are currently engaged in settlement negotiations aimed at resolving Count II of ALEC's Complaint. Upon signing a settlement agreement, ALEC intends to move for permission to withdraw Count II and, concurrently, Sprint intends to move for permission to withdraw its pending Motion to Dismiss Count II. The Parties state that they anticipate that negotiations to finalize the settlement agreement may extend beyond March 16, 2002. The Parties contend that an extension of the deadline will create a climate in which the Parties can more easily resolve this portion of their dispute, allow ALEC to avoid expending time and expense on a Response that will likely not be filed, and ensure that ALEC will not feel compelled to abbreviate negotiations to avoid waiving a legal remedy. This extension, the parties claim, will benefit both Parties, conserve our scarce resources, and advance the public interest by facilitating a return to amicable relations between the Parties.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

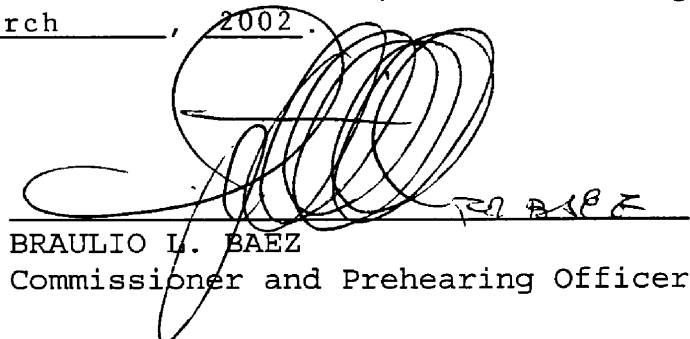
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Upon consideration, it appears reasonable and appropriate to extend the response due date as jointly requested by ALEC and Sprint. Accordingly, the filing date for ALEC to file a response to the Motion to Dismiss Count II of ALEC's Complaint is extended until March 26, 2002.

Based on the foregoing, it is,

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that the Joint Motion by ALEC, Inc. f/k/a Metrolink (ALEC), a subsidiary of Duro Communications Corp., and Sprint-Florida, Incorporated for Extension of Time for ALEC to file a Response to the Motion to Dismiss Count II of ALEC's Complaint is approved. The date is hereby extended to March 26, 2002.

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 14th Day of March, 2002.



BRAULIO L. BAEZ
Commissioner and Prehearing Officer

(S E A L)

LHD

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

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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 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.