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April 8, 2001

Mrs. Blanca Bayo, Director
Division of Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

**RE: Docket No. 001305-TP – Supra’s Motion For Reconsideration
of Commission Order No. PSC-02-0464-PCO-TP**

Dear Mrs. Bayo:

Enclosed is the original and seven (7) copies of Supra Telecommunications and Information Systems, Inc.’s (Supra) Notice of Service of its Motion For Reconsideration of Commission Order No. PSC-02-0464-PCO-TP in the above captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return it to me.

Sincerely,

Brian Chaiken
General Counsel

DOCUMENT NUMBER-DATE

03916 APR-8 8

FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE
Docket No. 001305-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Facsimile,
Hand Delivery and/or Federal Express this 8th day of April, 2002 to the following:

Wayne Knight, Esq.
Staff Counsel
Division of Legal Services
Florida Public Service Commission
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SUPRA TELECOMMUNICATIONS
& INFORMATION SYSTEMS, INC.
2620 S.W. 27th Avenue
Miami, Florida 33133
Telephone: (305) 476-4248
Facsimile: (305) 443-9516

By: Brian Chaiken / JWA
BRIAN CHAIKEN, ESQ.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by BellSouth)	Docket No. 001305-TP
Telecommunications, Inc. for)	
arbitration of certain issues in)	Filed on April 8, 2002
interconnection agreement with)	
Supra Telecommunications and)	
Information Systems, Inc.)	

SUPRA’S MOTION FOR RECONSIDERATION OF
COMMISSION ORDER NO. PSC-02-0464-PCO-TP

Pursuant to Rule 25-22.060, Florida Administrative Code, Supra Telecommunications & Information Systems, Inc. (“Supra”) submits this Motion for Reconsideration of Commission Order PSC-02-0464-PCO-TP, issued April 4, 2002. In support of its Motion, Supra states as follows:

1. Commission Order PSC-02-0464-PCO-TP, issued April 4, 2002, is **void** of any legal authority to substantiate the denial of Supra’s Motion for Extension of Time.
2. The Commission Order simply refers to “The Courts have construed . . .” The Order does not identify which Courts or include any legal citation whatsoever.
3. The Commission cited *City of Hollywood v. Public Employees Relations Commission*, 432 So.2d 79 (Fla. 4th DCA 1983).
4. In *City of Hollywood v. Public Employees Relations Commission*, the Court held that in the absence of any authority within the APA (Administrative Procedures Act) the Public Employees Relations

Commission lacked the “inherent power” to grant an extension of time on a motion for reconsideration.

5. The case of *City of Hollywood v. Public Employees Relations Commission* was decided in 1983. In 1997 – 14 years later - the APA was amended to include express authority for the extension of time for all motions upon a showing of good cause. See Rule 28-106.204, Florida Administrative Code.
6. Given the language in *City of Hollywood v. Public Employees Relations Commission*, 432 So.2d 79 (Fla. 4th DCA 1983) which allows administrative agencies to grant an extension of time, if such authority is contained in the APA (which it now is), Supra cites to *City of Hollywood v. Public Employees Relations Commission*, as its authority in support of Supra’s Motion.

WHEREFORE, Supra respectfully requests that the Commission reconsider its Order denying Supra’s request for an extension of time, on the basis that the Order failed to cite any legal authority for its conclusion that the Commission did not have the power to grant such an extension. Accordingly, Supra respectfully requests that the Commission grant Supra’s Request for an Extension of Time based upon the regulatory authority and case law cited in this Motion for Reconsideration. Supra also respectfully requests a decision on this motion no later than 5:00 p.m., Tuesday, April 9, 2002.

RESPECTFULLY SUBMITTED this 8th day of April, 2002.

Supra Telecommunications &
Information Systems, Inc.
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By: Brian Chaiken / TWC
Brian Chaiken
General Counsel