

In re: Petition for
determination as to whether
sufficient justification exists
to implement Emergency Service
Continuity Plan tariff and, if
so, for emergency waiver of Rule
25-4.118, F.A.C., by BellSouth
Telecommunications, Inc.

DOCKET NO. 021062-TL
ORDER NO. PSC-02-1454-PCO-TL
ISSUED: October 21, 2002

ORDER REQUIRING NOTICE TO CUSTOMERS

On October 21, 2002, BellSouth Telecommunications, Inc. (BellSouth) filed a Petition for Implementation of Emergency Service Continuity Tariff and Emergency Rule Waiver. Therein, BellSouth explains that pursuant to the parties' current interconnection agreement, Supra Telecommunications and Information Systems, Inc. (Supra) has failed to pay certain undisputed, and now past due, amounts. As a result of this alleged refusal, BellSouth states that it intends to discontinue service to Supra in accordance with their interconnection agreement, which would result in loss of service for Supra's customers. BellSouth is, therefore, seeking to implement, upon Commission approval, its Emergency Service Continuity Plan, to obtain a waiver of Rule 25-4.118, Florida Administrative Code, to obtain customer record information regarding Supra's end users, and waive any preferred carrier (PIC) freezes in place. Under its Emergency Service Continuity Plan, which is set forth in Section A5.8 of BellSouth's General Subscriber Service Tariff, BellSouth will provide notice to affected customers that BellSouth will maintain their service for a minimum of fourteen (14) days from the date of the notice in order for the customer to transition to a new provider. BellSouth notes that the tariff provisions apply only where BellSouth is the underlying provider for the ALEC's customer served via resale or UNE-P.

Upon consideration of the time-sensitive nature of this situation and the importance of ensuring that the affected customers have a sufficient opportunity to make a transition before being disconnected, BellSouth shall proceed with providing notice to the affected customers, pending consideration by the Commission

DOCUMENT NUMBER DATE

11419 OCT 21 02

FPSC-COMMISSION CLERK

ORDER NO. PSC-02-1454-PCO-TL
DOCKET NO. 021062-TL
PAGE 2

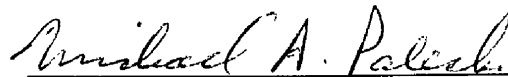
of BellSouth's Petition at the next regularly scheduled Commission Agenda Conference. Implementation of the customer notice provisions in BellSouth's tariff will facilitate adequate and timely notice to affected customers of this situation.

This Order authorizes implementation of the proper notice provisions only, and shall in no way be construed as a determination that sufficient circumstances exist to justify full implementation of BellSouth's Emergency Service Continuity Plan.

It is therefore

ORDERED by Commissioner Michael A. Palecki, as Prehearing Officer, that BellSouth Telecommunications, Inc. shall immediately implement the customer notice provisions set forth in its Emergency Service Continuity Plan.

By ORDER of Commissioner Michael A. Palecki, as Prehearing Officer, this 21st Day of October, 2002.



MICHAEL A. PALECKI
Commissioner and Prehearing Officer

(S E A L)

BK

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

ORDER NO. PSC-02-1454-PCO-TL
DOCKET NO. 021062-TL
PAGE 3

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.