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December 13, 2002

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
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Tallahassee, Florida 32399-0870

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COMMISSION
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Re: Docket Nos.: 020119-TP and 020578-TP

Dear Ms. Bayo:

On behalf of Florida Competitive Carriers Association, enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Motion of Florida Competitive Carriers Association, US LEC of Florida, Inc., Time Warner Telecom of Florida, L.P. and XO Florida, Inc. to Continue Hearing and to Hold Case Activities in Abeyance

Please acknowledge receipt of the above on the extra copy and return the stamped copy to me. Thank you for your assistance.

Sincerely,

Joe McGlothlin
Joseph A. McGlothlin

JAM/mls
Enclosure

AUS	_____
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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for expedited review and cancellation of BellSouth telecommunications, Inc.'s Key Customer promotional tariffs and for investigation of BellSouth's promotional pricing and marketing practices, by Florida Digital Network, Inc.

Docket No.: 020119-TP

In Re: Petition for expedited review and cancellation Of BellSouth Telecommunications, Inc.'s Key Customer promotional tariffs by Florida Competitive Carriers Association.

Docket No.: 020578-TP

Filed: December 13, 2002

MOTION OF THE FLORIDA COMPETITIVE CARRIERS ASSOCIATION, US LEC OF FLORIDA, INC., TIME WARNER TELECOM OF FLORIDA, L.P. AND XO FLORIDA, INC. TO CONTINUE HEARING AND TO HOLD CASE ACTIVITIES IN ABEYANCE

The Florida Competitive Carriers Association ("FCCA"), US LEC of Florida, Inc. ("US LEC"), Time Warner Telecom of Florida, L.P. ("Time Warner") and XO Florida, Inc. ("XO") (collectively, "Movants"), through their undersigned counsel, request the Commission to continue the hearing presently scheduled to begin on January 8, 2003 and to hold case activities in abeyance for 45 days, pending a report on efforts of parties to negotiate a compromise resolution to the issues in this case. In support, Movants state:


1. The issues in this docket are to be the subject of an evidentiary hearing now scheduled for January 8, 2003.

2. Recently the FCCA, FDN, and BellSouth Telecommunications, Inc. ("BellSouth") attempted to begin negotiations designed to explore the possibility of settlement. However, in Movants' view, due to the demands of ongoing discovery and motion practice, the parties to this case have not had an adequate opportunity to seriously explore the possibility of a negotiated compromise. To facilitate this possibility, the Movants request the Commission to


continue the hearing presently scheduled for January 8, 2003, and to hold all case activities, including pending discovery and motions, in abeyance for a period of 45 days, at which time the parties would report either that they have reached an agreement or, alternatively, that, notwithstanding their efforts, negotiations have failed to yield a settlement and case activities should resume.

3. Movants have contacted Florida Digital Network, Inc. ("FDN") and BellSouth Telecommunications, Inc. ("BellSouth"). FDN supports the Motion. BellSouth opposes the Motion.

WHEREFORE, the Florida Competitive Carriers Association, US LEC of Florida, Inc., Time Warner Telecom of Florida, L.P. and XO Florida, Inc., respectfully request the Commission to continue the presently scheduled hearing and hold case activities in abeyance for 45 days, pending the results of negotiations. Movants respectfully request that this Motion be considered during the Prehearing Conference of December 16, 2002.


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Counsel for US LEC of Florida, Time Warner
Telecom of Florida, L.P. and XO Florida, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion of The Florida Competitive Carriers Association, US LEC of Florida, Inc., Time Warner Telecom of Florida, L.P., and XO Florida, Inc. to Continue Hearing and Hold Case Activities in Abeyance has been furnished by (*) hand delivery, (**) electronic mail, or U.S. Mail this 13th day of December 2002 to the following:

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