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ORIGINAL

SUPREME COURT OF FLORIDA

Case No. SC02-2647

VERIZON FLORIDA INC.

Appellant,

v.

LILA A. JABER, et al.

Appellees.

_____ /

**APPELLANT'S MOTION FOR EXTENSION OF TIME
FOR FILING AND SERVICE OF INITIAL BRIEF AND
REQUEST FOR EXPEDITED RULING
(Concerning February 24, 2003 deadline)**

Appellant, Verizon Florida Inc. ("Verizon"), hereby moves this honorable Court for an extension of time for the filing and service of the Initial Brief herein, and for an expedited ruling on this motion. In support of this motion, Verizon states:

1. Verizon filed a notice of appeal on or about December 13, 2002, causing the Initial Brief to be due to be served on or before February 24, 2003. On or about January 8, 2003, the Florida Public Service Commission ("the Commission") filed a motion seeking to dismiss or abate this appeal because of a pending motion for reconsideration filed below by AT&T Communications of the Southern States, LLC ("AT&T") and other parties. Verizon responded to this motion on or about January 20, 2003, essentially agreeing that it would be logical to abate this appeal

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OPC _____
MMS _____
SEC _____
OTH *Arguente*

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pending resolution of the motion for reconsideration for reasons of judicial economy and to allow all challenges to the Commission's final determination to be raised in one proceeding, provided that the Commission does not assert that Verizon must implement and comply with the subject order in the interim. To date, the motion to dismiss or abate is still pending with this Court.

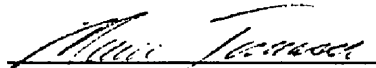
2. Similarly, the motion for reconsideration filed by AT&T and other parties remains pending before the Commission. If that motion is denied, the movants (or some of them) may seek review, in which case that new appeal and the instant proceeding should be consolidated. If the motion for reconsideration is granted, even in part, it will generate a new order from which Verizon and others may appeal, and again that appeal should be consolidated into this proceeding. Accordingly, it makes sense to abate this appeal pending the outcome of the motion for reconsideration as more particularly discussed in Verizon's response to the motion to dismiss or abate.

3. In the interim, however, Verizon's due date for its Initial Brief is rapidly approaching. By this motion, Verizon asks this Court to extend the time for filing and service of that brief for either 20 days from the denial of the pending motion to dismiss or abate or for a period of time as may be appropriate to allow this Court to determine if this matter is to be abated.

4. Verizon has consulted with counsel for the Commission, and is authorized to represent that the Commission does not object to this motion. Verizon has not

attempted to contact counsel for all of the remaining appellees, as there are many other carriers involved in the proceedings below that may or may not seek to participate in this appeal. The undersigned counsel states and affirms that this motion is brought in good faith and not for purposes of delay.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **Appellant's Motion for Extension of Time for Filing and Service of Initial Brief and Request for Expedited Ruling** has been furnished, by U.S. Mail, on February 17, 2003 to the parties on the attached list.



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