

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for arbitration
of unresolved issues in
negotiation of interconnection
agreement with Verizon Florida
Inc. by US LEC of Florida Inc.

DOCKET NO. 020412-TP
ORDER NO. PSC-03-0258-PCO-TP
ISSUED: February 24, 2003

ORDER ON MOTION FOR EXTENSION OF TIME

On May 15, 2002, US LEC of Florida Inc. (US LEC) filed a Petition for arbitration of unresolved issues in negotiation of an interconnection agreement with Verizon Florida Inc. (Verizon). On June 4, 2002, Verizon filed its response to the Petition. An administrative hearing was held on February 6, 2003.

By Order No. PSC-02-0993-PCO-TP, issued July 23, 2002, certain controlling dates for this docket were established. On October 11, 2002, US LEC and Verizon filed a Joint Motion to Continue Hearing (Joint Motion). On October 14, 2002, at the Prehearing Conference, the Joint Motion was granted. By Order No. PSC-02-1485-PCO-TP, as amended by Order No. PSC-02-1485A-PCO-TP, certain controlling dates were modified to reflect the continuance. The due date for filing post-hearing briefs was extended until February 20, 2003.

On February 20, 2003, US LEC filed its Unopposed Motion for Extension of Time to File Post-hearing Briefs (Motion). In the Motion, US LEC is requesting an additional four (4) days for the parties to file post-hearing briefs. In support of its Motion, US LEC states that due to complications arising from recent severe weather conditions in the Washington D.C. and surrounding areas, counsel have not been able to fully complete their post-hearing briefs. Additionally, US LEC states it has conferred with counsel for Verizon and Verizon does not oppose the Motion.

Upon consideration, it appears reasonable and appropriate to extend the post-hearing brief due date as requested. Accordingly, the deadline for filing Post-hearing briefs is extended until February 24, 2003.

Based on the foregoing, it is,

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ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that US LEC of Florida Inc.'s Unopposed Motion for Extension of Time to File Post-hearing Briefs is approved. The date is hereby extended until February 24, 2003.

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 24th day of February, 2003.



BRAULIO L. BAEZ
Commissioner and Prehearing Officer

(S E A L)

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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 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; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the

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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.