

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition of US LEC of Florida, Inc., Time Warner Telecom of Florida, L.P., and ITC^DeltaCom Communications objecting to and requesting suspension of proposed CCS7 Access Arrangement tariff filed by BellSouth Telecommunications, Inc.

DOCKET NO. 020129-TP
ORDER NO. PSC-03-0650-PCO-TP
ISSUED: May 28, 2003

ORDER GRANTING JOINT MOTION FOR CONTINUANCE

Pursuant to Notice issued April 25, 2003, this matter was set to be heard for Oral Argument on May 19, 2003. On May 14, 2003, BellSouth Telecommunications, Inc. (BellSouth), MCI WorldCom, Inc. (MCI), and US LEC of Florida Inc. (US LEC) jointly filed a Motion for Continuance (Motion). The Motion states that the parties have made significant progress in negotiations, however, no agreement can be reached before Monday because key personnel from the parties are temporarily unavailable. Accordingly, the movants request additional time to continue negotiations which they believe would be beneficial and lead to settlement agreements which would obviate the need for Oral Argument

Based upon the foregoing, I find it is reasonable to grant the Joint Motion for Continuance to allow the parties additional time to continue settlement negotiations. In the event settlement is not reached, Oral Argument shall take place following the conclusion of the August 19, 2003, Agenda Conference.


DOCUMENT NUMBER-DATE

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By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 28th day of May, 2003.


for Commissioner Baez

BRAULIO L. BAEZ
Commissioner and Prehearing Officer

(S E A L)

AJT

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 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,

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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.