

Nancy B. White
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January 6, 2004

Mrs. Blanca S. Bayó
Director, Division of the Commission
Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

**Re: Docket No. 030301-TP
Petition by Mpower Communications, Corp. and Florida Digital Network, Inc. for expedited temporary and permanent relief against BellSouth Telecommunications, Inc. for alleged anticompetitive conduct regarding Florida Digital Network, Inc.'s proposed acquisition of assets and customer base of Mpower Communications Corp.**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc., Mpower Communications Corp. and FDN Communications' Joint Motion for Further Continuance, in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return a copy to me. Copies have been served to the parties shown on the attached certificate of service.

Sincerely,


Nancy B. White (KA)

Enclosures

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey

DOCUMENT NUMBER-DATE
00191 JAN-6 3
FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 030301-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and Federal Express this 6th day of January, 2004 to the following:

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Nancy B. White *(initials)*

FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Florida Digital) Docket No. 030301-TP
Network, Inc. and Mpower Communica-)
tions Corp. for Expedited Temporary and)
Permanent Relief against BellSouth)
Telecommunications, Inc., For its Anti-)
competitive Conduct Regarding Florida)
Digital Network, Inc.'s Proposed)
Acquisition of the Assets and Customer)
Base of Mpower Communications Corp.)
In Florida)
_____) Filed: January 6, 2004

JOINT MOTION FOR FURTHER CONTINUANCE

Pursuant to Rule 28-106.204, Florida Administrative Code, Mpower Communications Corp. ("Mpower"), Florida Digital Network, Inc., d/b/a FDN Communications ("FDN") and BellSouth Telecommunications, Inc., ("BellSouth") by and through their undersigned counsel, hereby jointly move the Commission to continue the suspension of the remaining scheduled dates in this matter and continue the hearing dates as set forth herein. In support hereof, Mpower, FDN and BellSouth (collectively "Joint Movants") state as follows:

1. On December 10, 2003, the Prehearing Officer issued Order No. PSC-03-1390-PCO-TP, granting the Joint Movants Motion for Further Continuance.

2. Although no further stipulations have been reached at this time, FDN, Mpower and BellSouth remain in active negotiation of a permanent resolution of all issues and progress has been made. The parties have been exchanging term sheets and the issues still in negotiations have narrowed.

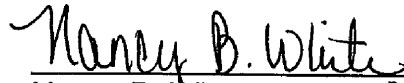
3. Under the current schedule, rebuttal testimony from FDN, Mpower and BellSouth is due on March 17, 2004, the prehearing is scheduled for April 21, 2004, and the hearing is scheduled for May 11, 2004.

4. Joint Movants believe that the parties should continue to devote available resources to negotiating this matter. Accordingly, Joint Movants request that the Prehearing Officer issue an order (1) suspending all scheduled activity and due dates as of the filing date of this Joint Motion, including due dates for rebuttal testimony, objections to discovery, discovery responses, prehearing statements, etc. and (2) continuing the prehearing and hearing dates in this matter for a period of up to thirty (60) days. Joint Movants believe this relief will permit them to finish negotiating a resolution to the dispute.

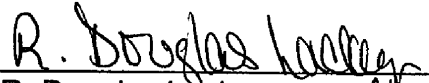
WHEREFORE, Joint Movants respectfully requests that the Commission suspend all due dates and continue the hearing dates in this matter for up to thirty (60) days as set forth herein.

Respectfully submitted this 6th day of January, 2004.

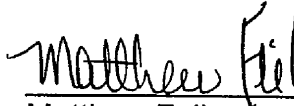
BELLSOUTH TELECOMMUNICATIONS, INC.



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