REQUEST FOR CHANGE TO AGENDA CONFERENCE
HAND DELIVER

Date of Request: Jan. 22, 2004   Date of Agenda Conference: February 3, 2004   Item No. RECEIVED-FPSC

Docket No.: 030851-TP   Brief Title: Implementation of Requirements Arising from Federal Communications 37
Commission's Triennial UNE Review: Local Circuit Switching for Mass
Market Customers

04 JAN 22 AM 11: 37

COMMISSION
CLERK

Requested by: [X] Staff   [ ] Other _____

Please attach a copy of the written documentation filed (if other)   (Name)

STAFF's Recommendation to Executive Suite (IF OTHER)   [X] Approve Request   [ ] Deny Request

ACTION REQUESTED [see APM 2.11]

[ ] Defer Item to Agenda Scheduled   Date: _____

[ ] Change Order of Item or Take Up at Time Certain

[ ] Withdraw Item

[X] Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) **A copy of the front page of the recommendation must be provided to CCA by 12 noon on the regular filing date for use as a place-holder during agenda preparation.**

[ ] Add Item to Published Agenda [see Section 120.525(2), F.S.] - Issue an ADDENDUM and give Legal NOTICE

[ ] Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] - Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

Staff requests an extension until 5 pm today. Staff sees merit in having this recommendation addressed prior to the prehearing conference which is scheduled for February 9, 2004. The recommendation is currently drafted and being routed.

Signature (OPR Staff): _____   Initials (OPR Division Director or Designee): _____

Signature (Legal Staff): _____   Initials (Legal Division Director or Designee): DES

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office   [✓] Approve Request   [ ] Deny Request

Initials: KRN   Date: 1/22/04

Comments:

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC _____
OTH _____

CHAIRMAN's OFFICE: [✓] Approve Request   [ ] Deny Request

Initials: _____   Date: 1/22/04

Executive Suite will send the original to the Division of Commission Clerk and Administrative Services and return a copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

Boyd
Wang   PSC/EXD-1 (10/02)
Thompson

DOCUMENT NUMBER-DATE

00972 JAN 22 ≅

FPSC-COMMISSION CLERK

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER ● 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: JANUARY 22, 2004

TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES (BAYÓ)

FROM: OFFICE OF THE GENERAL COUNSEL (SUSAC, ROJAS, TEITZMAN) DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (LEE, DOWDS)

RE: DOCKET NO. 030851-TP - IMPLEMENTATION OF REQUIREMENTS ARISING FROM FEDERAL COMMUNICATIONS COMMISSION'S TRIENNIAL UNE REVIEW: LOCAL CIRCUIT SWITCHING FOR MASS MARKET CUSTOMERS.

AGENDA: FEBRUARY 3, 2004 - REGULAR AGENDA - DECISION PRIOR TO HEARING - MOTION FOR RECONSIDERATION - ORAL ARGUMENT NOT REQUIRED; BUT MAY BE ENTERTAINED IN ACCORDANCE WITH RULE 25-22.0376(5), F.P.C.

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\GCL\WP\030851.RCM

DISCUSSION OF ISSUES

ISSUE 1: Should AARP's Motion for Reconsideration be granted?

RECOMMENDATION: No. AARP has not identified a point of fact or law which was overlooked or which the Prehearing Officer failed to consider in rendering his decision. Therefore, the Motion for Reconsideration should be denied. **(SUSAC)**

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. Irrespective of whether the Commission approves or denies staff's recommendation in Issue 1, the docket should remain open to ascertain whether a requesting carrier is impaired by lack of access to incumbent local exchange companies' unbundled local switching. **(SUSAC)**