

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

<p>In re:</p> <p>IMPLEMENTATION OF REQUIREMENTS ARISING FROM FEDERAL COMMUNICATIONS COMMISSION'S TRIENNIAL UNE REVIEW: LOCATION- SPECIFIC REVIEW FOR DS1, DS3 AND DARK FIBER LOOPS, AND ROUTE- SPECIFIC REVIEW FOR DS 1, DS3 AND DARK FIBER TRANSPORT</p>	<p>Docket No. 030852-TP</p> <p>Filed: March 2, 2004</p>
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MOTION FOR LEAVE  
TO BE ABSENT FROM HEARING

ALLEGIANCE TELECOM OF FLORIDA, INC. ("Allegiance"), through its undersigned attorneys, hereby moves for leave to be absent from the hearing in the above-captioned docket to be held on March 3 through 5, 2004, without prejudice to its right to submit a post-hearing brief or to attend and participate in the hearing should such participation appear necessary in order to protect Allegiance's interest. In support of its Motion, Allegiance shows as follows:

1. Allegiance filed its Petition to intervene in this docket on October 2, 2003. The Commission granted Allegiance's Petition for Intervention on November 6, 2003, in Order No. PSC-03-1251-PCO-TP.

2. Allegiance has participated in discovery as a party in this docket, responding to discovery requests propounded by the Commission Staff, BellSouth Telecommunications, Inc. ("BellSouth") and Verizon Florida, Inc. Allegiance has also propounded discovery upon BellSouth.

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3. Based upon the discovery responses and prefiled testimony filed by other parties, Allegiance determined that it was necessary to sponsor only limited testimony in support of its position in this docket. Allegiance submitted the prefiled testimony of Richard Anderson, Allegiance's Senior Vice President of Network Planning, Engineering and Operations. No party has indicated an intention to cross-examine Mr. Anderson, and Allegiance has been advised by the Commission Staff that his presence will not be required at the hearing.

4. Allegiance believes that its interest is not precisely aligned with that of any other party in this docket. Allegiance also believes, however, that there is sufficient overlap between its position and the positions of various other parties that it is likely that counsel for other parties will pursue most, if not all, of the cross-examination of witnesses for other parties that is deemed appropriate by Allegiance's counsel.

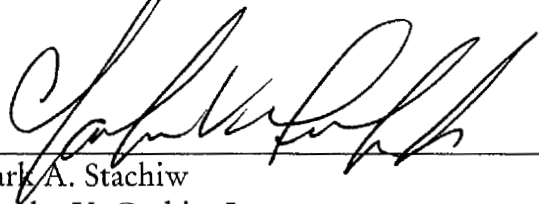
5. Allegiance's attorneys in this matter are based in Dallas, Texas, and Allegiance would prefer to avoid the expense of sending counsel to a hearing where Allegiance's position is likely to be adequately represented by other parties.

6. Allegiance respectfully requests that it be granted leave to be absent from the hearing in this docket without forfeiting Allegiance's right to file a post-hearing brief.

7. Counsel for Allegiance has advised counsel for all parties that it intends to file this Motion and represents that no party has objected to the relief requested herein.

WHEREFORE, for the foregoing reasons, Allegiance Telecom of Florida, Inc. respectfully requests leave to be absent from the hearing in this matter without prejudice to its right to submit a post-hearing brief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles V. Gerkin, Jr.", written over a horizontal line.

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