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April 29, 2004

Via Facsimile

Blanca S. Bayo, Director
Division of the Commission Clerk & Administrative Services
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: *Proposed Agency Action*
Docket Nos. 020645-TI, 031031-TI, 040062-TI and 040289-TI

Ladies & Gentlemen:

In connection with the above-referenced docketed matter, on behalf of New Century Telecom, Inc. ("NCT") (Docket No. 040062-TI), it is respectfully requested that the Commission's consideration of the Proposed Agency Action, scheduled for Monday, May 3, 2004, be deferred.

NCT submits that a deferral will provide the time needed to clarify and amplify critical background facts that will aid in the Staff's processing and the Commission's consideration of the issues created by such facts. A deferral would also serve to expedite the proceeding by narrowing issues and permitting discussion of how best to resolve issues of concern to the Staff and the Commission, including exploring the possibility of settlement of some or all of the issues applicable to NCT and possibly the other respondents named in the Proposed Agency Action. In regard to the other respondents, the Staff is already aware that this firm does not represent those respondents. However, NCT will use the deferral to contact those respondents and determine whether they, too, would wish to engage in substantive efforts to address the issues in ways that may not involve formal processes. NCT would undertake to make contact and report the decisions of the respondents or have them report directly to the Staff on their positions.

DOCUMENT NUMBER DATE

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It is submitted that the public interest would be served by a brief deferral, for it holds the promise that the remedial actions being proposed may be accomplished with less cost and time by informal versus formal processes.

Respectfully submitted,



Charles H. Helein

