

ORIGINAL

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From: Vicki Gordon Kaufman
Sent: Friday, July 23, 2004 1:32 PM
To: Filings@psc.state.fl.us
Cc: Gene Watkins; Adam Teitzman; Meredith Mays
Subject: Docket No. 040601-TP

Pursuant to the Commission's procedures for e-filing, Covad Communications provides the following information:

a. The attorney responsible for the filing is:

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b. The document is to be filed in Docket No. 040601-TP, Petition of DIECA Communications, Inc., d/b/a Covad Communications Company for Arbitration of Interconnection Agreement Amendment with BellSouth Telecommunications, Inc. pursuant to Section 252(b) of the Telecommunications Act of 1996.

c. The document is filed on behalf of Covad Communications Company.

d. The document is 3 pages long.

e. The document is DIECA Communications, Inc. d/b/a Covad Communications Company Motion for Extension of Time.

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

7/26/2004

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of DIECA Communications, Inc.,
d/b/a Covad Communications Company,
for Arbitration of Interconnection Agreement
Amendment with BellSouth Telecommunications,
Inc. pursuant to Section 252(b) of the
Telecommunications Act of 1996.

Docket No.: 040601-TP

Filed: July 23, 2004

**DIECA Communications, Inc., d/b/a Covad Communications Company
Motion for Extension of Time**

DIECA Communications, Inc. d/b/a Covad Communications Company (Covad), pursuant to rule 28-106.204, Florida Administrative Code, files this Motion for Extension of Time. As grounds therefore, Covad states:

1. On June 23, 2004, Covad filed a petition for arbitration with BellSouth Telecommunications, Inc. (BellSouth) regarding line sharing. In that petition, Covad requested that the Commission find that BellSouth is required to provide line sharing pursuant to § 271 and that line sharing must be offered at just and reasonable rates.

2. On July 19, 2004, BellSouth filed what it denominated a "response" to Covad's petition. While BellSouth calls its pleading a "response," it is actually a motion to convert¹ this proceeding into a different type of proceeding than that which Covad requested² and to arbitrate a number of issues which the parties have not yet negotiated.

3. Thus, it is Covad's position that BellSouth's "response" is actually a motion and an arbitration request, both of which require a response from Covad.

4. Because BellSouth's "response" was served by federal express, Covad's response would be due on July 27, 2004.

¹ BellSouth response at 1.

² BellSouth seeks a proceeding to deal with its proposed global *TRO* amendment.

5. However, counsel for Covad has several other pressing matters to which he must attend and will be out of town during the next seven day period. Therefore, Covad requests an extension of time to properly address BellSouth's "response."

6. Covad requests that it have up to and including August 6, 2004 to address BellSouth's "response." Neither party will be prejudiced by this brief extension.

7. Counsel for Covad has contacted counsel for BellSouth and is authorized to represent that BellSouth has no objection to the requested extension.

WHEREFORE, Covad requests that its Motion for Extension of time up to and until August 6, 2004 be granted.

S/ Vicki Gordon Kaufman

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Attorneys for Covad Communications

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Extension of Time been furnished by (*) electronic mail and U.S. Mail this 23rd day of July, 2004 to the following:

(*) Adam Teitzman
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Fl 32399

(*) Nancy White
(*) Meredith Mays
c/o Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, FL 32301

S/Vicki Gordon Kaufman
Vicki Gordon Kaufman