

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition to review and cancel, or in the alternative immediately suspend or postpone, BellSouth Telecommunications, Inc.'s PreferredPack Plan tariffs, by Supra Telecommunications and Information Systems, Inc.

DOCKET NO. 040353-TP
ORDER NO. PSC-04-0746-PCO-TP
ISSUED: August 4, 2004

ORDER ON MOTION FOR EXTENSION OF TIME

On April 20, 2004, Supra Telecommunications & Information Systems, Inc. (Supra) filed its Petition to Review and Cancel BellSouth's Promotional Offering Tariffs offered in conjunction with its new flat rate service known as the PreferredPack Plan. On May 17, 2004, BellSouth Telecommunications, Inc. (BellSouth) filed its Answer to Supra's Petition. On May 27, 2004, the Florida Public Service Commission (FPSC) issued Order No. PSC-04-0549-PCO-TP to initiate an expedited discovery procedure. On July 15, 2004, Supra served its Second Request for Admissions (Nos. 18-31). On July 16, 2004, Supra served its Third Set of Interrogatories (Nos. 28-30) and Third Request for Production (Nos. 17-18) to BellSouth.

On July 22, BellSouth filed a Motion for Extension of Time to respond to Supra's discovery requests. Because of BellSouth's counsel travel schedule and work load, BellSouth states it needs an extension of (4) days to properly respond. Commission counsel has communicated with Supra's counsel regarding the requested extension of time and Supra stated it objected on the grounds that BellSouth should be required to comply with the expedited discovery order in this proceeding. Counsel for Supra noted that BellSouth has previously been granted an extension by Order No. PSC-04-0685-PCO-TP, issued July 15, 2004.

Upon consideration, it appears reasonable and appropriate to extend the response due date as requested by Petitioner. Accordingly, the filing date for BellSouth's responses to Supra's Second Request for Admissions (Nos. 18-31), Third Set of Interrogatories (Nos. 28-30), and Third Request for Production (Nos. 17-18) is extended until July 30, 2004.

Based on the foregoing, it is

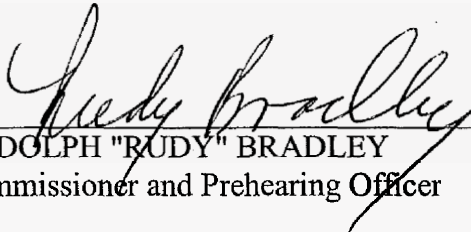
ORDERED by Commissioner Ruldoph "Rudy" Bradley, as Prehearing Officer, that BellSouth Telecommunications, Inc.'s Motion for Extension of Time for filing its responses to Supra Telecommunications & Information Systems, Inc.'s Supra's Second Request for Admissions (Nos. 18-31), Third Set of Interrogatories (Nos. 28-30), and Third Request for Production (Nos. 17-18) is hereby approved. It is further

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ORDERED that BellSouth Telecommunications, Inc. shall have until July 30, 2004, to serve its discovery responses.

By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this 4th day of August, 2004.


RUDOLPH "RUDY" BRADLEY
Commissioner and Prehearing Officer

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.