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December 20, 2004

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Ms. Blanca S. Bayo, Director Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Betty Easley Conference Center, Room 110 Tallahassee, Florida 32399-0850

Re: Docket No. 040326-TL

Dear Ms. Bayo:

RECEIVED ---OUMMISSION
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HAND DELIVERY

Enclosed for filing in the above-referenced docket on behalf of Northeast Florida Telephone Company ("Northeast Florida") and Sprint Spectrum, L.P. d/b/a Sprint PCS ("Sprint PSC") are an original and fifteen (15) copies of a Joint Motion for Abeyance.

Please acknowledge receipt of these documents by stamping the extra copy of this letter filed and returning the copy to me.

Thank you for your assistance with this filing.

CMP		Sincerely,
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ECR		Kenneth A. Hoffman
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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of the Application)	en e
of Northeast Florida Telephone	•)	Docket No. 040326-TL
Company d/b/a NEFCOM for)	
Suspension or Modification of	₩ 8 - 7 m)	Filed: December 20, 2004
Section 251(b)(2) of the)	
Communications Act of 1934 as)	
Amended.)	

JOINT MOTION FOR ABEYANCE

Petitioner, Northeast Florida Telephone Company ("Northeast Florida"), and Intervenor, Sprint Spectrum, L.P. d/b/a Sprint PCS ("Sprint PCS"), by and through their respective undersigned counsel, hereby jointly move for an abeyance of all remaining controlling dates for the filing of prefiled rebuttal testimony and exhibits, prehearing statements, the prehearing conference, the final hearing, and the submission of posthearing briefs set forth in the <u>Order Establishing Procedure</u>, issued in this docket, as well as an abeyance of Northeast Florida's obligation to respond to the Commission Staff's First Set of Interrogatories and First Request for Production of Documents to Northeast Florida, due to the tentative settlement agreement reached by Northeast Florida and Sprint PCS on this date. The tentative settlement agreement resolves all pending issues between the parties in this docket. Northeast Florida and Sprint PCS commit to file a stipulation and settlement agreement and motion to approve such stipulation and settlement agreement on or before January 14, 2005.

¹See Order No. PSC-04-1015-PCO-TL issued October 18, 2004.

²Per agreement with Staff, Northeast Florida's responses to the foregoing Staff discovery requests area due January 6, 2005.

DOCUMENT NUMBER - DATE

WHEREFORE, Northeast Florida and Sprint PCS respectfully request that the Prehearing Officer enter an Order granting this Joint Motion for Abeyance and ordering an abatement of all remaining controlling dates set forth in the <u>Order Establishing Procedure</u> and an abatement of Northeast Florida's obligation to respond to the Commission Staff's First Set of Interrogatories to Northeast Florida and First Request for Production of Documents to Northeast Florida, pending the filing by Northeast Florida and Sprint PCS of a stipulation and settlement agreement and Joint Motion to approve such stipulation and settlement agreement and the Commission's disposition of such stipulation and settlement agreement.

Respectfully submitted this 20th day of December, 2004.

Kenneth A. Hoffman, Esq. Martin P. McDonnell, Esq.

Rutledge, Ecenia, Purnell & Hoffman, P.A.

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--and--

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Attorney for Sprint Spectrum L.P. d/b/a Sprint PCS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by telecopier and U.S. Mail this 20th day of December, 2004, to the following:

Susan S. Masterton, Esq. Sprint PCS 1313 Blairstone Road P. O. Box 2214 Tallahassee, Florida 32314-2214

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Kenneth A. Hoffman, Esq.

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