

Matilda Sanders

ORIGINAL

From: Slaughter, Brenda [Brenda.Slaughter@BellSouth.COM]
 Sent: Monday, February 21, 2005 10:38 AM
 To: Filings@psc.state.fl.us
 Cc: Meza, James; Fatool, Vicki; Linda Hobbs; Bixler, Micheale; Holland, Robyn P; Nancy Sims
 Subject: Docket 040130-TP
 Importance: High
 Attachments: 040130-TP Joint Motion Extension of Time PHS.pdf

- A. Brenda Slaughter
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 c/o Nancy Sims
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brenda.slaughter@bellsouth.com
- B. Docket No. 040130-TP: Joint Petition for Arbitration of NewSouth Communications Corp., NuVox Communications Corp., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius Communications, LLC on Behalf of its Operating Subsidiaries Xspedius Management Co. Switched Services, LLC and Xspedius Management Co. of Jacksonville, LLC
- C. BellSouth Telecommunications, Inc. on behalf of James Meza III
- D. 4 pages total
- E. BellSouth Telecommunications, Inc.'s Joint Motion for Extension of Time for Parties to file Prehearing Statement

CMP _____
 COM 3 Brenda Slaughter (sent on behalf of James Meza III)
 CTR BellSouth Telecommunications, Inc.
 ECR Suite 4300 - Legal Department
 GCL 675 W. Peachtree Street
 Atlanta, GA 30375-0001
 Phone: (404) 335-0714
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MMS _____
 RCA <<040130-TP Joint Motion Extension of Time PHS.pdf>>

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JAMES MEZA III
Senior Regulatory Counsel

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February 21, 2005

Mrs. Blanca S. Bayó
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: **Docket No.: 040130-TP**
**Joint Petition of NewSouth Communications Corp., et al. for Arbitration
with BellSouth Telecommunications, Inc.**

Dear Ms. Bayó:

Enclosed is a Joint Motion for Extension of Time on behalf of BellSouth Telecommunications, Inc. and the Joint CLECs (NewSouth Communications Corp., NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius Communications, LLC), which we ask that you file in the captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,


James Meza III

Enclosures

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

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**CERTIFICATE OF SERVICE
DOCKET NO. 040130-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and First Class U. S. Mail this 21st day of February, 2005 to the following:

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James Meza III (Brrr)

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

ORIGINAL

In the Matter of)	
Joint Petition of NewSouth)	Docket No. 040130-TP
Communications Corp. et al. for)	
Arbitration with BellSouth)	
Telecommunications, Inc.)	Filed: February 21, 2005

JOINT MOTION FOR EXTENSION OF TIME

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 28-106.204(5), Florida Administrative Code, requests that the Florida Public Service Commission ("Commission") grant the Parties a one (1) day extension of time or until February 22, 2005, in which to file their Prehearing Statements. In support of this motion, BellSouth states the following:

1. On February 11, 2004, the Joint Petitioners (CLECs) filed their Joint Petition for Arbitration with BellSouth Telecommunications, Inc. (BellSouth) pursuant to the Telecommunications Act of 1996. The Commission issued Order No. PSC-04-0488-PCO-TP – Order Establishing Procedure – on May 12, 2004. On May 14, 2004, the CLECs filed their Motion to Revise Dates. On May 20, 2004, the Commission issued Order No. PSC-04-0513-PCO-TP – Order Granting Motion to Revise Dates. A Joint Motion was filed by the parties on July 20, 2004 to Hold the Proceedings in Abeyance. On August 19, 2004, the Commission issued Order No. PSC-04-0807-PCO-TP – Order Granting and Denying In Part Joint Motion to Hold Proceeding In Abeyance and To Revise Procedural Dates that established the Prehearing Statement to be due on February 21, 2005.

2. Due to other work commitments, BellSouth needs additional time to prepare its Prehearing Statement.

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3. The Parties would not be prejudiced by a one (1) day extension of time.

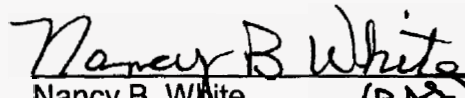
4. BellSouth has contacted counsel for the Joint CLECs to ascertain the Joint CLECs' position as to BellSouth's request. The Joint CLECs informed BellSouth that it does not object to BellSouth's request for an extension of time provided the request is applicable to all parties.

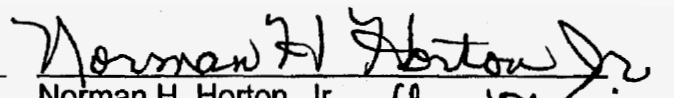
5. Due to the fact that BellSouth's Prehearing Statement is due on February 21, 2005, BellSouth requests expedited treatment of the instant Motion.

WHEREFORE, for the foregoing reasons, BellSouth respectfully requests that the Commission grant it, a one (1) day extension of time or until February 22, 2005, in which to file its Prehearing Statement.

Respectfully submitted this 21st day of February, 2005.

Respectfully submitted,


Nancy B. White (BSS)
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