

ORIGINAL

Matilda Sanders

From: Nmsamry@aol.com  
 Sent: Wednesday, July 13, 2005 5:08 PM  
 To: Filings@psc.state.fl.us  
 Cc: meredith.mays@bellsouth.com; Lee Fordham  
 Subject: Docket Number:049732-TP  
 Attachments: STS MOTION FOR STAY PENDING JUDICIAL REVIEW 7-13-05.doc

Enclosed please find STS Telecom's Motion For Stay Pending Judicial Review and Motion For Reconsideration

Nancy M. Samry  
 Paralegal to Alan C. Gold  
 1320 South Dixie Highway  
 Suite 870  
 Coral Gables, FL 33146  
 305-728-4827 (direct number)  
 251-217-9131 (direct fax)  
 305-667-0475 (office number)  
 305-663-0799 (office fax)

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**Law Offices of Alan C. Gold, P.A.**

1320 South Dixie Highway  
Suite 870  
Coral Gables, FL 33146  
305-667-0475, ext 1.  
305-663-0799

**ORIGINAL**

Alan C. Gold, Esquire  
305-667-0475, ext 1.  
e-mail: [agold@kcl.net](mailto:agold@kcl.net)

James L. Parado, Esquire  
305-667-0475, ext. 25  
e-mail: [jlp@kcl.net](mailto:jlp@kcl.net)

July 13, 2005

Ms. Blanca Bayo, Director  
Director, Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RE: Docket No.:049732-TP  
**In re: Interconnection Agreement between Saturn Telecommunication  
Services, Inc. d/b/a STS Telecom and BellSouth Telecommunications, Inc.**

Dear Ms. Bayo:

Enclosed for filing on behalf of Saturn Telecommunication Services, Inc. d/b/a STS Telecom ("STS") are the original and 15 copies of STS's Motion For Reconsideration in the above- referenced docket.

Copies are being served on the parties in this docket pursuant to the attached certificate of service.

Please acknowledge receipt of this filing by stamping and initialing a copy of this letter and returning same to me in the stamped, self-addressed envelope provided. If you have any questions, please do not hesitate to contact me.

Thank you for your assistance with this filing.

Very truly yours,

ALAN C. GOLD, PA

Enclosure:

cc: STS Telecom  
All Parties of Record

DOCUMENT NUMBER-DATE

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Interconnection Agreement between )  
Saturn Telecommunication Services, Inc. ) 040732-TP  
d/b/a STS Telecom and BellSouth ) Filed: May 13, 2005  
Telecommunications, Inc. )  
\_\_\_\_\_ )

**Motion For Stay Pending Judicial Review and Motion For Reconsideration**

The Petitioner, SATURN TELECOMMUNICATION SERVICES, INC. d/b/a STS Telecom (“STS”), by and through the undersigned counsel, files its Motion For Stay Pending Judicial Review and Motion For Reconsideration pursuant to Rule 25-22.061, Florida Rules of the Public Service Commission. STS requests that this Honorable Commission stay its Order allowing BellSouth to disconnect STS’s service for non-payment of market based rates pending the outcome of the Motion For Reconsideration filed in this docket and for the judicial review that STS anticipates filing before the Florida Supreme Court and also possibly the United States District Court on the federal issues, and in support thereof states as follows:

1. On June 29, 2005, this Florida Public Service Commission entered its Order entitled “Order Granting Motion To Strike and Motion For Summary Final Order” in which this Commission held that if STS did not pay the market based rates in dispute within thirty days that BellSouth could disconnect its service to STS.
2. The disconnection of service by BellSouth will adversely affect both STS and the public in South Florida which STS services.
3. Thus, irreparable harm will result to both STS and the public interest should a stay not be granted.

4. There would be no harm to BellSouth by the granting of a stay due to the fact that STS has always been current in its regular monthly billing.
5. The Commission's ruling is contrary to firmly established case law in Florida and STS is likely to prevail on the merits in an appeal.
6. STS is prepared to meet whatever reasonable conditions are imposed upon the granting of the stay.

WHEREFORE, STS requests that this Honorable Commission grant a stay of its Order entered on June 29, 2005 entitled "Order Granting Motion To Strike and Motion For Summary Final Order" pending ruling by this Commission on STS's Motion for Reconsideration and pending judicial review.

Respectfully submitted,

ALAN C. GOLD, P.A.  
Gables One Tower  
1320 South Dixie Highway  
Suite 870  
Coral Gables, FL 33146  
(305) 667-0475 (office)  
(305) 663-0799 (telefax)

/s/ Alan C. Gold

BY: ALAN C. GOLD, ESQUIRE  
Florida Bar Number: 304875  
JAMES L. PARADO, ESQUIRE  
Florida Bar Number: 0580910

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been served via Federal Express on this 13th day of July 2005, too:

Staff Counsel  
Florida Public Service Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

NANCY B. WHITE  
C/O Nancy H. Sims  
150 South Monroe Street  
Suite 400  
Tallahassee, FL 32301

R. DOUGLAS LACKEY  
MERIDITH E. MAYS  
Suite 4300, BellSouth Center  
675 West Peachtree Street, N.E.  
Atlanta, GA 30375  
[Lynn.Barclay@bellsouth.com](mailto:Lynn.Barclay@bellsouth.com)

/s/ Alan C. Gold

BY: ALAN C. GOLD, ESQUIRE  
Florida Bar Number: 304875  
JAMES L. PARADO, ESQUIRE  
Florida Bar Number: 0580910