

ORIGINAL

Matilda Sanders

**From:** Smith, Debbie N. [Debbie.N.Smith@BellSouth.COM]  
**Sent:** Tuesday, August 16, 2005 2:24 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Edenfield, Kip; Fatool, Vicki; Slaughter, Brenda ; Linda Hobbs; Bixler, Micheale; Nancy Sims; Holland, Robyn P  
**Subject:** Florida Docket No. 041338-TP  
**Importance:** High  
**Attachments:** motion.pdf

- A. Debbie Smith  
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- B. Docket No.: 041338-TP – Petition for Generic Proceeding to Set Rates, Terms, and Conditions for Batch Hot Cuts for UNE-P to UNE-L Conversions and for ILEC to UNE-L Conversions in the BellSouth Telecommunications, Inc. Service Area
- C. BellSouth Telecommunications, Inc.  
 on behalf of E. Earl Edenfield, Jr.
- D. 5 pages total (including letter, certificate of service, and pleading)
- E. Unopposed Joint Motion for Continuance

Debbie Smith (sent on behalf of E. Earl Edenfield, Jr.)  
 BellSouth Telecommunications, Inc.  
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8/16/2005

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August 16, 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.: 041338-TP  
Petition for Generic Proceeding to Set Rates, Terms, and Conditions for  
Batch Hot Cuts for UNE-P to UNE-L Conversions and for ILEC to UNE-L  
Conversions in the BellSouth Telecommunications, Inc. Service Area**

Dear Ms. Bayó:

Enclosed is an Unopposed Joint Motion for Continuance, 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,



E. Earl Edenfield, Jr.

Enclosure

cc: All Parties of Record  
Jerry D. Hendrix  
Nancy B. White  
R. Douglas Lackey

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**CERTIFICATE OF SERVICE  
Docket No. 041338-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 16th day of August, 2005 to the  
following:

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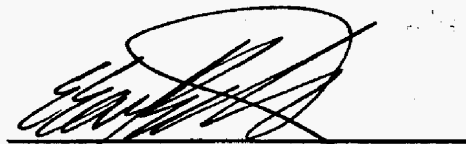
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E. Earl Edenfield, Jr.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Generic Proceeding to Set	)	
Rates, Terms, and Conditions for Batch Hot	)	Docket No. 041338-TP
Cuts for UNE-P to UNE-L Conversions and for	)	
ILEC to UNE-L Conversions in the BellSouth	)	
Telecommunications, Inc. Service Area	)	Filed: August 16, 2005
<hr/>		

**UNOPPOSED JOINT MOTION FOR CONTINUANCE**

On behalf of BellSouth Telecommunications, Inc. ("BellSouth"), and Florida Digital Networks Inc., d/b/a FDN Communications ("FDN"), BellSouth files this Unopposed Joint Motion for Continuance and says:

1. On April 20, 2005, the Commission issued the Order Establishing Procedure<sup>1</sup>, which set forth, among other things, the controlling dates for the filing of testimony by the parties regarding the issues in Phase I of this proceeding as well as a hearing date of October 11 – 13, 2005. (Order Establishing Procedure, at 7)
2. Over the last week, the Parties have been, and continue to be, engaged in settlement negotiations that encompass nearly all of the pending issues in this proceeding. In fact, BellSouth has reached tentative agreement with a number of carriers on both rate issues and most of the process issues that are in dispute in this docket.
3. Recent settlement discussions confirm that the Parties have reached a point where there is a good likelihood that the majority, and possibly all, of the issues in Phase I of this proceeding (including the rates) could be resolved through mutual assent of the Parties.

<sup>1</sup> Order No. PSC-05-0433-PCO-TP. The Order Establishing Procedure has been amended a few times to accommodate changes in the testimony filing dates, but never for a change in the hearing date.

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4. The Parties believe that a continuance of the current schedule, including the hearing dates, will give the parties time to reduce their agreements to writing and finalize the Stipulation to be submitted to the Commission for consideration.

5. The Parties propose that the entirety of the current schedule in the Order Establishing Procedure be continued such that a hearing date for Phase I, if a hearing is ultimately necessary, could take place no sooner than early December 2005. Assuming most of the issues are resolved through negotiation, the amount of hearing time required should be reduced.

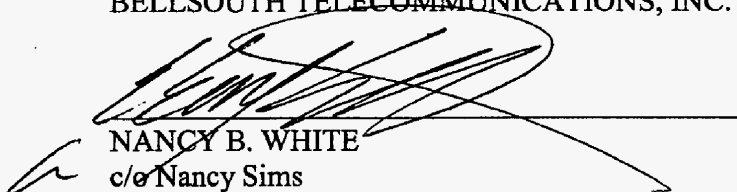
6. The other Parties to this proceeding have been contacted regarding this Motion, and all have accepted that there is no objection to the relief requested.

7. No Party will be prejudiced by the granting of this Motion.

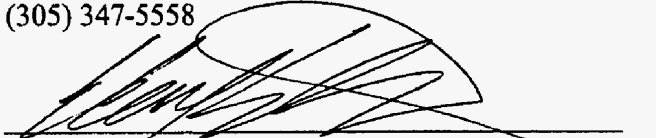
WHEREFORE, BellSouth, on behalf of BellSouth and FDN, respectfully requests that the Order Establishing Procedure be continued as set forth above.

Respectfully submitted this 16<sup>th</sup> day of August 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.



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