

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition to establish generic docket to consider amendments to interconnection agreements resulting from changes in law, by BellSouth Telecommunications, Inc.

DOCKET NO. 041269-TP
ORDER NO. PSC-05-0999-PCO-TP
ISSUED: October 14, 2005

ORDER GRANTING COVAD'S REQUEST FOR OFFICIAL RECOGNITION

On September 26, 2005, DIECA Communications, Inc. d/b/a Covad Communications Company (Covad) filed its Request for Official Recognition of a State of Maine Public Utilities Commission (MPUC) *Order* issued in Docket No. 2002-682, VERIZON-MAINE, Proposed Schedules, Terms, Conditions and Rates for Unbundled Network Elements and Interconnection (PUC 20) and Resold Services (PUC 21), on September 13, 2005. Covad also requests official recognition of a Federal Communications Commission (FCC) *Order* cited to in the MPUC *Order*, In the Matter of SBC Communications Inc.'s Petition for Forebearance Under 47 U.S.C. § 160(c) from Application of Section 271, issued on November 5, 2004, in WC Docket No. 03-235.

There have been no responses or objections to the aforementioned request.

Upon consideration, I hereby find that the MPUC *Order* and the FCC *Order* are documents for which this Commission may take official recognition pursuant to Section 90.202(5) of the Florida Evidence Code. Furthermore, I find that the MPUC *Order* and the FCC *Order* are relevant to this proceeding, and therefore grant Covad's Request for Official Recognition.

Based on the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that the DIECA Communications, Inc. d/b/a Covad Communications Company's Request for Official Recognition is granted as set forth in the body of this Order.

DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 14th day of October, 2005.


LISA POLAK EDGAR

Commissioner and Prehearing Officer

(SEAL)

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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.