

ORIGINAL

Matilda Sanders

From: Kelly, Tamela D [LTD] [Tamela.Kelly@sprint.com]
Sent: Friday, January 06, 2006 3:53 PM
To: Filings@psc.state.fl.us
Subject: Docket 041144-TP, Sprint's Motion for Extension of Time
Attachments: 041144-TP Sprint's Motion for Extension of Time.pdf

Filed on behalf of:

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Docket No. 041144-TP

Title of filing: Sprint-Florida Incorporated's Motion for Extension of Time to Respond to KMC's Motion for Reconsideration and Request for Oral Argument

Filed on behalf of: Sprint-Florida, Inc.

No. of pages: 5

<<041144-TP Sprint's Motion for Extension of Time.pdf>>

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DOCUMENT NUMBER-DATE

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1/6/2006



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January 6, 2005

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
& Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket No. 041144-TP Complaint of Sprint-Florida, Incorporated against KMC Telecom III LLC, KMC Telecom V, Inc. and KMC Data LLC, for failure to pay intrastate Access charges pursuant to its interconnection Agreement and Sprint's tariffs and for violation of Section 364.16(3)(a), FS.

Dear Ms. Bayó:

Enclosed for filing on behalf of Sprint-Florida, Incorporated is Sprint's Motion for Extension of Time to Respond to KMC's Motion for Reconsiderations and Request for Oral Argument.

Parties have been served pursuant to the attached Certificate of Service.

If you have any questions regarding this electronic filing, please do not hesitate to contact me at 850/599-1560.

Sincerely,

Susan S. Masterton

Enclosures

DOCUMENT NUMBER-DATE

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**CERTIFICATE OF SERVICE
DOCKET NO. 041144-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic and U.S. mail this 6th day of January, 2006 to the following:

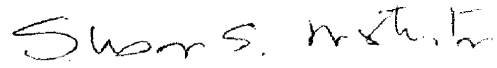
Division of Legal Services
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Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Nancy Pruitt/Ann Marsh
Florida Public Service Commission
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KMC Data LLC/KMC Telecom III LLC/KMC Telecom V, Inc.
Marva B. Johnson
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Lawrenceville, GA 30043-8119

Kelley Drye & Warren LLP
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Messer, Caparello & Self, P.A.
215 Monroe St., Ste 701
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Susan S. Masterton

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Complaint of Sprint-Florida, Incorporated)
Against KMC Telecom III LLC,)
KMC Telecom V, Inc. and KMC Data LLC,)
for failure to pay intrastate)
Access charges pursuant to its interconnection)
Agreement and Sprint's tariffs and for violation of)
Section 364.16(3)(a), Florida Statutes.)

Docket No. 041144-TP

Filed: January 6, 2006

SPRINT-FLORIDA INCORPORATED'S
MOTION FOR EXTENSION OF TIME TO RESPOND TO
KMC'S MOTION FOR RECONSIDERATION AND REQUEST FOR ORAL
ARGUMENT

Sprint-Florida, Incorporated ("Sprint"), pursuant to Rule 28-106.204(5), Florida Administrative Code, requests that the Florida Public Service Commission ("Commission") grant it a 3-day extension of time or until January 13, 2006, in which to respond to the Motion for Reconsideration and accompanying Request for Oral Argument (hereinafter, "Motion") filed by KMC Telecom III LLC, KMC Telecom V, Inc. and KMC Data LLC (collectively, "KMC") on January 3, 2006. In support of this Motion Sprint states as follows:

1. On December 19, 2005, the Commission issued its final order, Order No. PSC-05-1234-FOF-TP. In accordance with the Commission's rules KMC filed its Motion for Reconsideration of the Order and accompanying Request for Oral Argument on January 3, 2006. KMC served Sprint with a copy of its pleadings via e-mail on the afternoon of January 3, 2006. Pursuant to Rule 25-22.060, F.A.C. and Rules 28-106.103 and 28-106.204, F.A.C., Sprint's response to the Motion is due within 7 days, or on January 10, 2006.

DOCUMENT NUMBER-DATE

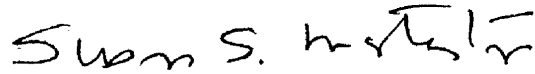
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2. Sprint's counsel was out of town on a previously scheduled business trip on January 4 and 5, 2006. As a result of these conflicting business obligations and the intervening weekend, Sprint's counsel will have insufficient time to adequately prepare a response to KMC's complex Motion. Therefore, Sprint is requesting a 3-day extension, until January 13, 2006, to prepare its Response. Sprint believes that the granting of this extension will serve the public interest in that it will allow the Commission to receive sufficient information and argument from both parties to assist in its decision on the Motion.
3. Sprint has consulted with KMC as required by Rule 28-106.204(3), Florida Administrative Code, and counsel for KMC has represented that KMC does not object to Sprint's request. No party will be prejudiced by this 3-day extension of time.
4. The Commission has the authority to grant an extension of time to respond to a Motion for Reconsideration and has done so in the past. See, e.g., Order No. PSC-04-0205-FOF-TP, *In re: Request for arbitration concerning complaint of AT&T Communications of the Southern States, LLC, Teleport Communications Group, Inc., and TCG South Florida for enforcement of interconnection agreements with BellSouth Telecommunications, Inc.*, Docket No. 020919-TP.

Wherefore, for the foregoing reasons, Sprint respectfully requests that the Commission grant it a 3-day extension of time, until January 13, 2006, in which to respond to the Motion for Reconsideration filed by KMC.

Respectfully submitted this 6th day of January 2006.



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