## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Northeast Florida Telephone Company d/b/a NEFCOM against Southeastern Services, Inc. for alleged failure to pay intrastate access charges pursuant to NEFCOM's tariffs, and for alleged violation of Section 364.16(3), F. S.

**DOCKET NO. 060083-TP** 

**AND** 

Primary Jurisdiction Referral by Baker County Circuit Court of VoIP Access Charge Issue Between Northeast Florida Telephone Company and Southeastern Services, Inc.

DOCKET NO. 060296-TP FILED: August 4, 2006

## UNOPPOSED JOINT MOTION FOR ABATEMENT AND CONTINUANCE

The Parties, SOUTHEASTERN SERVICES, INC. ("SSI") and NORTHEAST FLORIDA TELEPHONE COMPANY ("NEFCOM"), hereby jointly request the Florida Public Service Commission to abate these proceedings, including the deferral and postponement of all Controlling Dates set forth in the Order Establishing Procedure, for a period up to and until October 9, 2006, and to continue the final hearing currently scheduled for December 11-12, 2006, to allow the Parties to fulfill the terms and conditions of a recent Settlement Agreement reached between these two Parties. Pursuant to this Motion, upon fulfillment of the terms and conditions of the Settlement Agreement and no later than October 9, 2006, NEFCOM will file a Notice of Voluntary Dismissal with Prejudice of its Amended Complaint in Docket No. 060083-TP and both NEFCOM and SSI will file a Joint Motion to Dismiss the Referral from the Circuit Court

BOCUMENT NUMBER-DATE

06993 AUG-4 %

of Baker County in Docket No. 060296-TP. In the event the terms and conditions of the Settlement Agreement are not timely fulfilled, NEFCOM and SSI (either individually or jointly) will request termination of this requested abatement no later than October 9, 2006, and request that new Controlling Dates, including new testimony filing dates and new final hearing dates, be established for these consolidated proceedings.

WHEREFORE, NEFCOM and SSI respectfully request that the Florida Public Service Commission abate these consolidated proceedings and continue the final hearing as requested herein.

Respectfully submitted,

Suzanne F. Summerlin Florida Bar No. 398586

SUZANNE FANNON SUMMERLIN, P.A.

2536 Capital Medical Boulevard

Tallahassee, FL 32309 Florida Bar No. 398586

Telephone: 850-656-2288 Facsimile: 850-656-5589

Attorney for Southeastern Services, Inc.

-and-

Kenneth A. Hoffman, Esq.
Florida Bar No. 307718
Rutledge, Ecenia, Purnell & Hoffman, P.A.
P. O. Box 551
Tallahassee, Florida 32302
(850) 681-6788 (Telephone)
(850) 681-6515 (Telecopier)
Attorney for Northeast Florida Telephone
Company

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Unopposed Joint Motion for Abatement and Continuance was served by U.S. Mail this 4th day of August, 2006, to the following persons.

Jason Fudge, Esq.
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Kenneth A. Hoffman, Esq. Rutledge, Ecenia, Purnell & Hoffman, P.A. 215 S. Monroe Street, Ste. 420 P. O. Box 551 Tallahassee, Florida 32302

Suzanne F. Summerlin, Esq.