

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for waiver of carrier of last resort obligations for multitenant property in Collier County known as Treviso Bay, by Embarq Florida, Inc.

DOCKET NO. 060763-TL  
ORDER NO. PSC-07-0066-PCO-TL  
ISSUED: January 25, 2007

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition dated December 20, 2006, Treviso Bay Development, LLC ("Treviso Bay"), has requested permission to intervene in this proceeding. Treviso Bay is the developer of the community where Embarq Florida, Inc. ("Embarq") seeks to be relieved of its carrier of last resort (COLR) obligation. Treviso Bay alleges that its substantial interests in developing its community with adequate communications services is adversely affected by Embarq's refusal to provide the requested service. Moreover, a proceeding under section 364.025, Florida Statutes, is designed to protect those interests. Thus, Treviso Bay's substantial interests will be affected by this proceeding and Treviso Bay has standing to intervene.

Having reviewed the Petition, it appears that Treviso Bay's substantial interests may be affected by this proceeding. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, Treviso Bay takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition to Intervene of Treviso Bay Development, LLC, is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

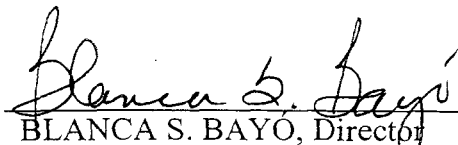
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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 25th day of January, 2007.

  
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BLANCA S. BAYO, Director  
Division of the Commission Clerk  
and Administrative Services

( S E A L )

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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.