

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of BellSouth Telecommunications, Inc. against Miami-Dade County for alleged operation of a telecommunications company in violation of Florida statutes and Commission rules.

DOCKET NO. 050257-TL
ORDER NO. PSC-07-0775-PCO-TL
ISSUED: September 24, 2007

ORDER ON ORAL ARGUMENT PROCEDURE

On April 13, 2005, BellSouth Telecommunications, Inc. (BellSouth) filed its Complaint regarding the operation of a telecommunications company in violation of applicable Florida Statutes and Commission rules against Miami-Dade County (County). The County filed its Answer on May 24, 2005.

By Order No. PSC-06-0326-PCO-TL, issued April 21, 2006, the parties' joint proposed procedural schedule was approved. Pursuant to the joint procedural schedule, the parties agreed to Oral Argument on the disputed issues before the Commission. Oral Argument is currently scheduled to take place on September 25, 2007.

The parties agreement did not address the time allotted for each party to present its argument before the Commission. Accordingly, I find it reasonable and appropriate to grant each side twenty (20) minutes to present its case before the Commission. To the extent there is more than one party per side, those parties should confer to determine how they will split their allotted time. Additionally, the parties may use the joint stipulated exhibits as demonstrative exhibits during their presentations.

Based on the foregoing, it is

ORDERED by Commissioner Matthew M. Carter II, as Prehearing Officer, that each party shall have twenty (20) minutes to present its case before the Commission.

DOCUMENT NUMBER-DATE

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By ORDER of Commissioner Matthew M. Carter II, as Prehearing Officer, this 21st day of September, 2007.


MATTHEW M. CARTER II
Commissioner and Prehearing Officer

(S E A L)

AJT

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 Office of Commission Clerk, 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.