

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies.
(AT&T FLORIDA TRACK)

DOCKET NO. 000121A-TP
ORDER NO. PSC-09-0011-PCO-TP
ISSUED: January 5, 2009

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

On May 12, 2008, Cbeyond Communications, LLC and DeltaCom, Inc. jointly filed a Complaint, Request for Audit, and Request for Stay of CLEC OSS-Related Releases, in this docket. By Petition filed December 22, 2008, NuVox Communications, Inc. (NuVox) has requested permission to intervene in this proceeding. NuVox states that as a wholesale customer of AT&T, who relies on the AT&T OSS to provide appropriate and timely service to its customers, NuVox's substantial interests will be affected by any action taken by this Commission in resolving this matter.

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

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by NuVox Communications, Inc. 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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Anchors Smith Grimsley
118 North Gadsen Street
Tallahassee, Florida 32301
(850)681-3828
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Susan J. Berlin
NuVox Communications, Inc.
Two North Main Street

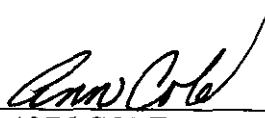
DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Greenville, SC 29601
(864)331-7323
sberlin@nuvox.com

By ORDER of the Florida Public Service Commission this 5th day of January, 2009.



ANN COLE
Commission Clerk

(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 25-22.0376, 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.