

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Intrado Communications, Inc. for arbitration to establish an interconnection agreement with Verizon Florida LLC, pursuant to Section 252(b) of the Communications Act of 1934, as amended, and Section 364.162, F.S.

DOCKET NO. 080134-TP
ORDER NO. PSC-09-0189-PCO-TP
ISSUED: March 27, 2009

ORDER MODIFYING PROCEDURE

On March 5, 2008, Intrado Communications, Inc. (Intrado Comm) filed its Petition for Arbitration with Verizon Florida LLC (Verizon) pursuant to Section 252(b) of the Communications Act of 1934, as amended; Sections 120.80(13), 120.57(1), 364.16, 364.161, and 364.162, Florida Statutes (F.S.); and Rule 28-106.201, Florida Administrative Code (F.A.C.). On November 12, 2008, Order No. PSC-08-0745-PCO-TP (Order Establishing Procedure) was issued setting this proceeding for hearing and establishing controlling dates. On December 19, 2008, Intrado Comm filed a Motion to Hold in Abeyance (Motion for Abeyance)¹ in the instant docket.

By Order No. PSC-09-0053-PCO-TP (Order Granting Abeyance), issued January 22, 2009, all controlling dates and requirements for discovery procedures were held in abeyance. The Order Granting Abeyance further stated that upon resolution by the full Commission of the Motions for Reconsideration filed in the Embarq and AT&T arbitration dockets, a subsequent order would be issued setting forth a modified procedural schedule for the docket. The Commission denied the Motions for Reconsideration at its March 3, 2009 Agenda conference, and on March 16, 2009, the Final Orders in the Embarq and AT&T arbitration dockets denying the Motions for Reconsideration were issued.²

In order to allow the parties the opportunity to fully present testimony and exhibits for the Commission's consideration in this matter, the hearing and other controlling dates established by the Order Establishing Procedure shall be revised as set forth below:

Direct Testimony and Exhibits	June 24, 2009
Rebuttal Testimony and Exhibits	August 5, 2009
Prehearing Statements	August 5, 2009
Prehearing Conference	August 20, 2009

¹ Intrado Comm's Motion for Abeyance requested that the Commission hold this proceeding in abeyance pending the resolution of Motions for Reconsideration filed on December 18, 2008, in its arbitration proceedings in Docket No. 070699-TP with Embarq Florida, Inc. (Embarq) and in Docket No. 070736-TP with BellSouth Telecommunications, Inc. d/b/a AT&T Florida (AT&T).

²Order Nos. PSC-09-0155-FOF-TP and PSC-09-0156-FOF-TP.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Discovery Deadline	September 8, 2009
Hearing	September 16, 2009
Briefs	October 21, 2009


Order No. PSC-08-0745-PCO-TP is reaffirmed in all other aspects.

Based upon the foregoing, it is

ORDERED by Commissioner Katrina J. McMurrin, as Prehearing Officer, that the controlling dates as established in Order No. PSC-08-0745-PCO-TP are modified as set forth in this Order. It is further

ORDERED that Order No. PSC-08-0745-PCO-TP is reaffirmed in all other aspects.

By ORDER of Commissioner Katrina J. McMurrin, as Prehearing Officer, this 27th day of March, 2009.


KATRINA J. McMURRIAN
Commissioner and Prehearing Officer

(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 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.