

REQUEST FOR CHANGE TO AGENDA CONFERENCE
HAND DELIVER

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CLERK

Date of Request: 6/15/2009 Date of Agenda Conference: 6/16/2009 Item No. 2

Docket No.: 070348-TX Brief Title: Petition for Designation as ETC by Swiftel, LLC

Requested by: Staff Other Swiftel
(Name)

Please attach a copy of the written documentation filed (IF OTHER)

STAFF's Recommendation to Executive Suite (IF OTHER) Approve Request Deny Request

ACTION REQUESTED [see APM 2.11]

- Defer Item to Agenda Scheduled Date: 6/30/2009
- Change Order of Item or Take Up at Time Certain
- Withdraw Item (not expected to return to Agenda)
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) **A copy of the front page of the recommendation must be provided to the Commission Clerk by 12 noon on the regular filing date for use as a place-holder during agenda preparation.**
- Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

Swiftel Counsel has requested Deferral, that this be rescheduled and considered during the June 30, 2009 agenda conference, as they are currently scheduled to be in a trial through next Wednesday, June 17, 2009 and will be unable to appear on June 16, 2009.

05915-09
6/15/09 CLERK

Signature (Technical Staff): [Signature]

Initials (Division Director or Designee): [Signature]

Signature (Legal Staff): [Signature]

Initials (General Counsel or Designee): BI

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office
Initials: WAB

Approve Request Deny Request
Date: 6/15/09

Comments:

CHAIRMAN's OFFICE:

Initials: WCG

Approve Request Deny Request
Date: 6/15/09

Executive Suite will send the original to the Office of Commission Clerk and return copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

DOCUMENT NUMBER-DATE

05941 JUN 15 8

FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition of Swiftel LLC for)	Docket No. 070348-TX
Designation as Eligible)	
Telecommunications Carrier (ETC) and)	Filed: June 13, 2009
Request for Expedited Resolution)	
)	

SWIFTEL LLC'S REQUEST FOR POSTPONEMENT

Swiftel LLC ("Swiftel"), by and through their undersigned attorneys, hereby respectfully move for a postponement of consideration of this matter to on or after the June 30, 2009, Agenda Conference and states as follows:

1. On June 4, 2009, the Commission issued a notice that a matter in this docket would be considered at the June 16, 2009, Conference Agenda.

2. Undersigned counsel are currently engaged in a formal administrative hearing at the Division of Administrative Hearings, *MHM Correctional Services, Inc. v. Department of Corrections*, DOAH Case No. 09-002577. The Final Hearing in the case commenced on June 12, 2009, and will resume at 8:30AM on June 16, 2009.

7. As the above-referenced docket has been pending for quite some time, an additional short postponement will not result in any adverse consequences. Additionally, the postponement will not result in prejudice as there are no procedural nor statutory deadlines at issue nor any critical dates associated with this docket.

8. Undersigned counsel has previously conferred with Commission staff regarding this matter to request a postponement.

WHEREFORE, based on the foregoing, Swiftel respectfully requests this matter be postponed until on or after the June 30, 2009, Agenda Conference.

Respectfully submitted,

SWIFTEL LLC

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Attorneys for Swiftel LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via U.S. Mail First Class and Electronic Mail to the persons listed below this 13th day of June, 2009:

Robert J. Casey
Jim Polk
John E. Mann, IV
Beth Salak
Dale Mailhot
Lisa Harvey
Charles Murphy
Adam Teitzman
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By: s/ James A. McKee
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