

Ruth Nettles

080631-TP

**From:** WOODS, VICKIE (Legal) [vf1979@att.com]  
**Sent:** Friday, January 08, 2010 4:25 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** 080631-TP AT&T Florida's Agreed Motion for Continuance  
**Attachments:** Document.pdf

- A. Vickie Woods  
BellSouth Telecommunications, Inc. d/b/a AT&T Florida  
150 South Monroe Street  
Suite 400  
Tallahassee, Florida 32301  
(305) 347-5560  
[vf1979@att.com](mailto:vf1979@att.com)
- B. Re: Docket No. 080631-TP: Petition for Commission to intervene, investigate and mediate dispute between DSL Internet Corporation d/b/a DSLi and BellSouth Telecommunications, Inc.
- C. BellSouth Telecommunications, Inc. d/b/a AT&T Florida  
  
on behalf of Manuel A. Gurdian
- D. 4 pages total (includes letter, pleading and certificate of service)
- E. BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Agreed Motion for Continuance  
  
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January 8, 2010

Ms. Ann Cole  
Office of the Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Docket No. 080631-TP: Petition for Commission to intervene,  
investigate and mediate dispute between DSL Internet Corporation d/b/a  
DSLi and BellSouth Telecommunications, Inc.**

Dear Ms. Cole:

Enclosed is BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Agreed Motion for Continuance, which we ask that you file in the captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Manuel A. Gurdian

cc: All parties of record  
Gregory R. Follensbee  
Jerry D. Hendrix  
E. Earl Edenfield, Jr.


**CERTIFICATE OF SERVICE**  
**Docket No. 080631-TP**

I HEREBY CERTIFY that a true and correct copy was served via Electronic Mail  
and First Class U. S. Mail this 8th day of January, 2010 to the following:

Florida Public Service Commission  
Charles Murphy, Staff Counsel  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
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Eduardo Maldonado  
Vice President - Operations  
DSL Internet Corporation  
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\_\_\_\_\_  
Manuel A. Gurdian

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Petition for Commission to intervene, ) Docket No. 080631-TP  
investigate and mediate dispute between )  
DSL Internet Corporation d/b/a DSLI and )  
BellSouth Telecommunications, Inc. )  
\_\_\_\_\_ ) Filed: January 8, 2010

**AGREED MOTION FOR CONTINUANCE**

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") hereby files its Agreed Motion for Continuance of the pre-hearing statements due January 11, 2010, pre-hearing conference and hearing currently set to take place January 25, 2010 and February 11, 2010, respectively, in the above-captioned proceeding, and state as grounds in support thereof the following:

1. Undersigned counsel and one of AT&T Florida's witnesses in this matter (Scot Ferguson) have an immutable conflict with the February 11, 2010 hearing date in that they are scheduled to be in Frankfort, Kentucky on February 10 and 11, 2010 before the Kentucky Public Service Commission in the matter of *dPi Teleconnect, LLC v. BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky*, Case No. 2005-00455.

2. Moreover, DSL Internet Corporation d/b/a DSLi ("DSLi") and AT&T Florida are currently engaged in settlement negotiations and are attempting in good-faith to resolve the issues in this case. The parties are hopeful that, as a result of these negotiations, this matter will be amicably resolved so that there will be no need for a hearing to take place.

3. The parties request that dates for the pre-hearing statement, pre-hearing conference and hearing dates be continued until after April 12, 2010 due to the parties' various other scheduling conflicts and that the Commission establish a new date for the

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filing of the parties' pre-hearing statements and a new discovery deadline. The parties ask that the new schedule provide for a due date of the pre-hearing statements after April 12, 2010 with corresponding extensions of all other pre-hearing and hearing dates adjusted accordingly.

4. For the above reasons, AT&T Florida requests that the Commission grant a continuance of the pre-hearing dates, including the pre-hearing statements, discovery deadline, pre-hearing conference and hearing currently set for January 25, 2010 and February 11, 2010, respectively.

5. Undersigned counsel for AT&T Florida has obtained express consent from counsel for DSLi to present this Motion as an Agreed Motion.

WHEREFORE, AT&T Florida respectfully requests the entry of an Order continuing the pre-hearing dates and hearing conference in the above-styled matter.

Respectfully submitted this 8<sup>th</sup> day of January, 2010.

AT&T FLORIDA



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