

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint and petition for relief against Image Access, Inc. d/b/a New Phone by BellSouth Telecommunications, Inc. d/b/a AT&T Florida.	DOCKET NO. 100022-TP ORDER NO. PSC-10-0074-PCO-TP ISSUED: February 8, 2010
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ORDER GRANTING MOTION

On January 8, 2010, BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") filed a Complaint and Petition for Relief ("Complaint") against Image Access, Inc. d/b/a New Phone ("New Phone"). On January 29, 2010, AT&T Florida filed a Motion to Consolidate this docket with Docket No. 100021-TP, which is an AT&T Florida complaint against LifeConnex Telecom, LLC f/k/a Swiftel, LLC, for the limited purposes of expeditiously resolving common issues.

On February 3, 2010, pursuant to Rule 28-106.204, Florida Administrative Code, New Phone filed its Unopposed Motion to Set Date ("Unopposed Motion") to respond to both AT&T Florida's Complaint and AT&T's Motion to Consolidate.

In its Unopposed Motion, New Phone asserts the following:

- New Phone has proposed, and AT&T Florida has agreed, that a due date of February 22, 2010, be established for New Phone to file any responsive pleading to both the AT&T Florida Complaint and the AT&T Florida Motion to Consolidate.
- This is needed to allow New Phone adequate time to engage and brief counsel and to facilitate the coordination of the parties' schedules.
- The New Phone response will assist the Commission in understanding and refining the issues in this proceeding and in evaluating the rule for consolidation of dockets.

Having reviewed the Unopposed Motion, I find it appropriate to grant the same.

Based on the foregoing, it is

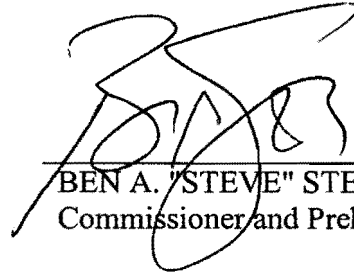
ORDERED by Commissioner Ben A. "Steve" Stevens III, as Prehearing Officer, that Image Access, Inc. d/b/a New Phone's Unopposed Motion to Set Date to file responsive pleadings to BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Complaint and Petition for Relief and to Set Due Date to respond to BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Motion to Consolidate, is hereby granted.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of Commissioner Ben A. "Steve" Stevens III, as Prehearing Officer, this
8 day of February, 2010.



BEN A. "STEVE" STEVENS III
Commissioner and Prehearing Officer

(S E A L)

CWM/JLM

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.