

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint and petition for relief against LifeConnex Telecom, LLC f/k/a Swiftel, LLC by BellSouth Telecommunications, Inc. d/b/a AT&T Florida.

DOCKET NO. 100021-TP
ORDER NO. PSC-10-0100-PCO-TP
ISSUED: February 23, 2010

ORDER GRANTING EXTENSION OF DUE DATES

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 LifeConnex Telecom, LLC f/k/a Swiftel, LLC (“LifeConnex”). On January 29, 2010, AT&T Florida filed a Motion to Consolidate this docket with Docket No. 100022-TP, which is an AT&T Florida complaint against Image Access, Inc., d/b/a New Phone, for the limited purposes of expeditiously resolving common issues.

On February 3, 2010, pursuant to Rule 28-106.204, Florida Administrative Code, LifeConnex filed its Unopposed Motion to Set Date to respond to both AT&T Florida’s Complaint and AT&T Florida’s Motion to Consolidate.

On February 22, 2010, pursuant to Rule 106.204, Florida Administrative Code, LifeConnex filed an Unopposed Motion to Extend Due Date to File Responsive Pleadings to AT&T Florida’s Complaint and Petition for Relief and to Extend Due Date to Respond to AT&T Florida’s Motion to Consolidate (“Unopposed Motion”).

In its Unopposed Motion, LifeConnex asserts the following:

- LifeConnex has proposed, and AT&T Florida has agreed, that a due date of February 25, 2010, be established for LifeConnex to file any responsive pleading to both the AT&T Florida Complaint and the AT&T Florida Motion to Consolidate.
- This extension is requested due to unanticipated extra time required for coordination of similar matters pending in other states.
- The LifeConnex response will assist the Commission in understanding and refining the issues in this proceeding and in evaluating the rule for consolidation of dockets.

Upon consideration, I find it reasonable and appropriate to grant New Phone’s Motion to Extend Due Date to File Responsive Pleadings to AT&T Florida’s Complaint and Petition for Relief and to Extend Due Date to Respond to AT&T Florida’s Motion to Consolidate. New Phone’s Response shall be due by February 25, 2010.

DOCUMENT NUMBER-DATE

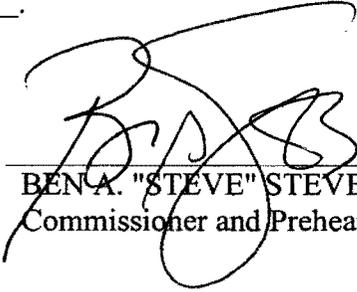
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FPSC-COMMISSION CLERK

It is therefore

ORDERED by Commissioner Ben A. "Steve" Stevens III, as Prehearing Officer, that LifeConnex Telecom, LLC's Unopposed Motion to Extend Due Date to File Responsive Pleadings to AT&T Florida's Complaint and Petition for Relief and to Extend Due Date to Respond to AT&T Florida's Motion to Consolidate, is hereby granted.

By ORDER of Commissioner Ben A. "Steve" Stevens III, as Prehearing Officer, this 23rd day of February, 2010.



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

(SEAL)

JLM/CWM

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.