

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of Associated Telecommunications Management Services, LLC (ATMS) companies for compliance with Chapter 25-24, F.A.C., and applicable lifeline, eligible telecommunication carrier, and universal service requirements.

DOCKET NO. 100340-TP
ORDER NO. PSC-10-0531-PCO-TP
ISSUED: August 19, 2010

ORDER GRANTING STAFF'S UNOPPOSED MOTION
TO HOLD TIME TO RESPOND IN ABEYANCE

On July 29, 2010, Bellerud Communications, LLC, LifeConnex Telecom, LLC, Triarch Marketing, Inc., American Dial Tone, Inc., BLC Management, LLC, and All American Telecom, Inc. (Companies) filed Motions to Quash the Subpoenas Duces Tecum Without Deposition (Motions to Quash) served on them by Staff on or about July 2, 2010, which required them to produce certain documents by July 19, 2010. The Companies contemporaneously filed a Request for Oral Argument on the Motions to Quash.

On August 4, 2010, Staff filed an Unopposed Motion to Hold Time to Respond in Abeyance (Unopposed Motion), requesting that the time for Staff to file Responses to the Motions to Quash be held in abeyance for an unspecified period of time. Staff states that in the Motions to Quash, the Companies each suggested that they meet with Staff in order to understand the subject of the docket, narrow the requests for the production of documents, and resolve potential issues. Staff agrees that a meeting might be productive and is working with the companies' counsel to schedule such a meeting. Staff further states that it has consulted with the companies' counsel and represents that such counsel does not object to the Unopposed Motion. Staff asserts that the Unopposed Motion is made in good faith and that granting it will not prejudice the parties. Finally, Staff states that it will provide a status update within 30 days of the date of the Unopposed Motion and that it may request that a response date be set at that time.

Based upon the foregoing, Staff's Unopposed Motion to Hold Time to Respond in Abeyance is hereby granted. Staff shall file a status update within 30 days of the issuance date of this Order, and every 30 days thereafter until the abeyance of Staff's response time is lifted.

It is, therefore,

ORDERED by Art Graham, Commissioner and Prehearing Officer, that Staff's Unopposed Motion to Hold Time to Respond in Abeyance is hereby granted. It is further

ORDERED that Staff shall file a status update within 30 days of the issuance date of this Order, and every 30 days thereafter until the abeyance of Staff's response time is lifted.

DOCUMENT # PSC-10-0531-TP

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FPSC-COMMISSIONER

By ORDER of Commissioner Art Graham, as Prehearing Officer, this 19th day of August, 2010.



ART GRAHAM
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.