

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint against Verizon Florida, LLC  
and MCI Communications Services, Inc. d/b/a  
Verizon Business Services for failure to pay  
intrastate access charges for the origination and  
termination of intrastate interexchange  
telecommunications service, by Bright House  
Networks Information Services (Florida), LLC.

DOCKET NO. 110056-TP  
ORDER NO. PSC-11-0577-PCO-TP  
ISSUED: December 16, 2011

ORDER GRANTING BRIGHT HOUSE'S MOTION FOR  
FURTHER EXTENSION OF TIME TO FILE REBUTTAL TESTIMONY

On September 27, 2011, I issued Order No. PSC-11-0417-PCO-TP, the Order Establishing Procedure in this docket. By that Order I established the filing date for the parties' Rebuttal Testimony as December 2, 2011. I also established a Discovery cut-off date of February 28, 2012, and set this matter for hearing on March 3 and 4, 2012. On November 23, 2011, Bright House Networks Information Services (Florida), LLC, ("Bright House") filed a Motion for Extension of Time to File Rebuttal Testimony ("First Motion"). On November 30, 2011, I issued Order No. PSC-11-0549-PCO-TP, granting Bright House's First Motion and extending the date for filing Rebuttal Testimony until December 16, 2011.

On December 14, 2011, Bright House filed a Motion for Further Extension of Time to File Rebuttal Testimony ("Second Motion"). In its Second Motion, Bright House reiterates that the FCC adopted a Report and Order and Notice of Proposed Rulemaking<sup>1</sup> ("Order") on October 27, 2011; the 700-plus page Order was not issued until November 18, 2011. In that Order, states Bright House, the FCC addressed comprehensive reforms to the Universal Service Fund and Intercarrier Compensation mechanisms. Bright House avers both parties have used the time granted by the First Motion to analyze the Order, and consequently, have entered into initial discussions with the goal of reaching a settlement of the matters in dispute in this docket. In order that the parties may continue these discussions, Bright House requests a further two week extension of the date for the filing of rebuttal testimony until January 4, 2012.

In the Second Motion, Bright House specifically requests that the current Prehearing and Hearing dates remain as set forth in the Order Establishing Procedure, and notes that even with the further extension of time, the procedural schedule will allow for two complete rounds of discovery prior to the discovery cut-off date. Bright House also affirms that Counsel for Bright House has discussed this request with Verizon and represents that Verizon consents to this Motion.

Upon review, I find that Bright House has alleged sufficient grounds to support its Motion for Further Extension of Time. I find that no party will be prejudiced by the additional

<sup>1</sup> Report and Order and Notice of Proposed Rulemaking, Order FCC 11-161, issued in WC Docket No. 10-90, GN Docket No. 09-51, WC Docket No. 07-135, WC Docket No. 05-337, CC Docket No. 01-92, CC Docket No. 96-45, WC Docket No. 03-109, WT Docket No. 10-208, November 18, 2011.

DOCUMENT NUMBER DATE

08998 DEC 16 =

FPSC-COMMISSION CLERK

two (2) week extension of the filing date. I further find that, given the discovery cut-off date is late February, 2012, with the hearing in this matter set for March, 2012, that the Motion can be granted without further modification of any other dates set forth in the Order Establishing Procedure.

Therefore, it is

ORDERED by Commissioner Eduardo E. Balbis, as Prehearing Officer, that Bright House Networks Information Services (Florida), LLC's Motion for Further Extension of Time to File Rebuttal Testimony on January 4, 2012, is GRANTED. It is further

ORDERED that Order No. PSC-11-0417-PCO-TP is reaffirmed in all other respects.

By ORDER of Commissioner Eduardo E. Balbis, as Prehearing Officer, this 16th day of December, 2011.



---

EDUARDO E. BALBIS  
Commissioner and Prehearing Officer  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
www.floridapsc.com

LDH

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.