

MEMORANDUM

July 8, 1994

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12:10p  
FISC-RECORDS/REPORTING

TO : RECORDS AND REPORTING

FROM : DIVISION OF LEGAL SERVICES (CANZANO) *Z*

RE : DOCKET NO. ~~921074~~-TP, 930955-TL, 940014-TL, 940020-TL,  
931196-TL, AND 940190-TL - EXPANDED INTERCONNECTION PHASE  
II AND LOCAL TRANSPORT RESTRUCTURE.

0832 - PCO

Attached please find an ORDER ALLOWING PARTIES TO FILE LEGAL BRIEFS TO ADDRESS SUPPLEMENTAL LEGAL AUTHORITY which is ready to be issued. [Number of pages (2)]

DLC:cp  
Attachment

921074ab.dc

**MUST GO TODAY**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Expanded Interconnection ) DOCKET NO. 921074-TP  
Phase II and Local Transport ) DOCKET NO. 930955-TL  
Restructure ) DOCKET NO. 940014-TL  
\_\_\_\_\_ ) DOCKET NO. 940020-TL  
DOCKET NO. 931196-TL  
DOCKET NO. 940190-TL

ORDER NO. PSC-94-0832-PCO-TP  
ISSUED: July 8, 1994

ORDER ALLOWING PARTIES TO FILE LEGAL BRIEFS  
TO ADDRESS SUPPLEMENTAL LEGAL AUTHORITY

BY THE COMMISSION:

For Phase I of this docket, the Commission issued Order No. PSC-94-0285-FOF-TP, on March 10, 1994, regarding mandatory physical collocation for special access and private line services. Motions for reconsideration and stay of that Order are pending. On June 10, 1994, the United States Court of Appeals for the District of Columbia Circuit vacated in part and remanded for further proceedings two Federal Communications Commission's orders requiring the local exchange companies to set aside portions of their central offices for occupation and use by competitive access providers. On June 29, 1994, BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company filed a Notice of Supplemental Authority and Motion for Additional Briefing.

It is my understanding that, pursuant to a noticed conference call involving the parties and Commission staff, the parties seek to address the legal impact of the Court of Appeals' decision. Accordingly, I shall allow the parties to file briefs to address only the legal impact of the Court of Appeals' decision mentioned above on the Commission's Order for Phase I. See Order No. PSC-94-0285-FOF-TP. The legal briefs shall be filed by July 15, 1994.

Based on the foregoing, it is

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that the parties shall be allowed to file legal briefs by July 15, 1994, to address supplemental legal authority as discussed in the text of this Order.

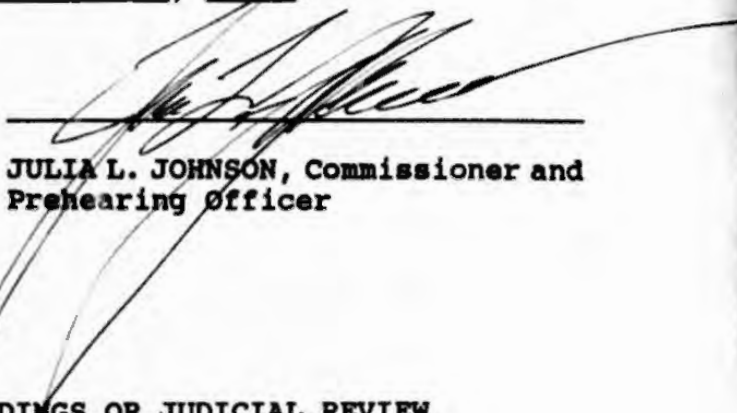
DOCUMENT NUMBER-DATE

06792 JUL-8 3

FPSC-RECORDS/REPORTING

ORDER NO. PSC-94-0832-PCO-TP  
DOCKETS NOS. 921074-TP, 930955-TL, 940014-TL, 940020-TL, 931196-TL  
AND 940190-TL  
PAGE 2

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 8th day of July, 1994.



JULIA L. JOHNSON, Commissioner and  
Prehearing Officer

( S E A L )

DLC

**NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW**

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, 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.