

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for Generic Investigation to Ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and GTE Florida Incorporated Comply with Obligation to Provide Alternative Local Exchange Carriers with Flexible, Timely, and Cost-efficient Physical Collocation.

Docket No. 990321-TP

Petition of Competitive Carriers for Commission Action to Support Local Competition in BellSouth Telecommunications, Inc.'s Service Territory.

Docket No. 981834-TP

Filed: November 1, 1999

MOTION OF COVAD COMMUNICATIONS COMPANY FOR LEAVE TO FILE DIRECT TESTIMONY OUT OF TIME

COMES NOW Covad Communications Company ("Covad"), through its counsel, and moves this Commission, through the Prehearing Officer, to grant it leave to file the direct testimony of its witness, Michael Moscaritolo, two days out of time, stating good cause as follows.

- 1) In Order No. PSC-99-1991-PCO-TP, Order Establishing Procedure, issued October 12, 1999, the Prehearing Officer established October 28, 1999, as the date by which direct testimony in this proceeding was to be filed.
2) Through an oversight, Covad was unprepared to file the direct testimony of its witness,

Michael Moscaritolo, on October 28, 1999, as required by the Order Establishing Procedure.

Upon discovery of its error, Covad took immediate and forthright steps to complete the testimony of Michael Moscaritolo as quickly as possible so as to minimize the lateness of its

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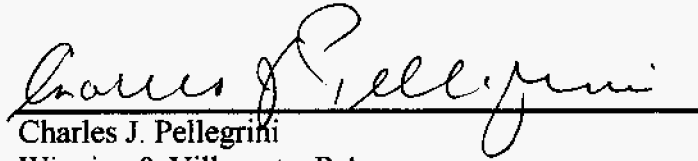
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filing and the inconvenience to the Commission and the other parties of record that its late filing may cause.

4) Pursuant to Rule 1.090(b), Florida Rules of Civil Procedure, the Prehearing Officer may grant an enlargement of time upon a finding of "excusable neglect."

WHEREFORE Covad Communications Company apologizes for its failure to meet the requirements of the Order Establishing Procedure and respectfully requests that the Prehearing Officer grant its Motion for Leave to File Direct Testimony Out of Time.



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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via U.S.

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