

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by BellSouth Telecommunications, Inc. for approval for arbitration of an interconnection agreement with US LEC of Florida, Inc. pursuant to the Telecommunications Act of 1996.

DOCKET NO. 000084-TP  
ORDER NO. PSC-00-0645-PCO-TP  
ISSUED: April 6, 2000

ORDER GRANTING EXTENSION OF TIME TO FILE RESPONSE

On January 25, 2000, BellSouth Telecommunications, Inc. (BellSouth) filed a Petition for Arbitration of certain unresolved issues in its negotiations with US LEC of Florida, Inc. (US LEC). In accordance with Section 252(b)(4)(c) of the Telecommunications Act of 1996 (the Act), US LEC's response was due on February 19, 2000. On February 14, 2000, US LEC filed a Motion for Extension of Time, wherein it requests a 90-day extension to file its Response to BellSouth's Petition. BellSouth did not file a response to the Motion, but has indicated to our staff counsel that it does not oppose US LEC's request.

Specifically, US LEC states that this Commission is in the process of arbitrating a number of issues in proceedings between BellSouth and other carriers that are very similar to the unresolved issues between US LEC and BellSouth. Therefore, in an effort to avoid having the Commission address some of these issues more than once, US LEC indicates that the parties are interested in waiting to see what the Commission's final decisions are in these other proceedings. US LEC further explains that it is considering adopting an agreement resulting from another proceeding. Therefore, US LEC requests a 90-day extension of time to respond to BellSouth's Petition so that the parties may review the agreements resulting from these other arbitration proceedings.

As noted above, BellSouth has indicated to staff counsel that it does not oppose US LEC's request. Our staff has also indicated that this extension of time will not impair staff's ability to prepare for the hearing. In addition, the extension of time may encourage the resolution of certain issues in this proceeding. Therefore, US LEC's Motion for Extension of Time is granted. US LEC shall respond to BellSouth's Petition for Arbitration on or before May 19, 2000.

It is therefore

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ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the Motion for Extension of Time filed by US LEC of Florida, Inc. is hereby granted.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 6th Day of April, 2000.

  
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SUSAN F. CLARK  
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, 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

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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.