

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint and/or
petition for arbitration by
Global NAPS, Inc. for
enforcement of Section VI(B) of
its interconnection agreement
with BellSouth
Telecommunications, Inc., and
request for relief.

DOCKET NO. 991267-TP
ORDER NO. PSC-99-2299-PCO-TP
ISSUED: November 30, 1999

ORDER GRANTING EXTENSION OF TIME

On August 31, 1999, Global NAPS, Inc. (GNAPS) filed a complaint against BellSouth Telecommunications, Inc. (BellSouth) for alleged breach of the parties' interconnection agreement. GNAPS asserts that BellSouth has failed to properly compensate GNAPS for delivery of traffic to Internet Service Providers that are GNAPS' customers. On September 27, 1999, BellSouth filed its Answer to GNAPS' complaint. This matter has been set for an administrative hearing on January 25, 2000.

By Order No. PSC-99-2155-PCO-TP, issued November 4, 1999, the procedure and filing dates were established for this Docket. By that Order, the date for filing direct testimony and exhibits was set for November 16, 1999.

On November 16, 1999, GNAPS filed a Motion for Extension of Time to File Testimony. Therein, GNAPS asks that the date for filing direct testimony and exhibits be extended to November 24, 1999. GNAPS states that it has experienced delay in obtaining the testimony from its witness; therefore, it asks for this extension to complete its filing. GNAPS states that it has contacted counsel for BellSouth, and that BellSouth agrees to the extension. Staff counsel also indicates that granting the extension will not impair staff's ability to prepare for the hearing in this Docket.

Based on the foregoing, the Motion for Extension of Time to File Testimony is granted. It does not appear that granting this

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extension will be unduly prejudicial to any party, nor will it impede the processing of this case.

It is therefore

ORDERED by Commissioner E. Leon Jacobs, as Prehearing Officer, that the Motion for Extension of Time to File Testimony filed by Global NAPS, Inc. is granted. It is further

ORDERED that Order No. PSC-99-2155-PCO-TP is reaffirmed in all other respects.

By ORDER of Commissioner E. Leon Jacobs, Jr. as Prehearing Officer, this 30th day of November, 1999.



E. LEON JACOBS, JR.
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.

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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 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.