

Manuel A. Gurdian Attorney Legal Department AT&T Florida 150 South Monroe Street Suite 400 Tallahassee, FL 32301

T: (305) 347-5561 F: (305) 577-4491 manuel.gurdian@att.com

August 14, 2007

Ms. Ann Cole Office of the Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re: <u>Docket No. 070126-TL</u>: Petition of AT&T Florida for Relief from Carrier-of-Last-Resort Obligations Pursuant to Florida Statutes § 364.025(6)(d) (Avalon)

Dear Ms. Cole:

Enclosed is BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Motion for Continuance, which we ask that you file in the captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely

Manuel A. Guldian

cc: All parties of record Jerry Hendrix James Meza III E. Earl Edenfield, Jr.

CERTIFICATE OF SERVICE Docket No. 070126-TL

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

(*) Electronic Mail, (**) Federal Express and First Class U. S. Mail this 14th day of August, 2007 to the following:

Patrick Wiggins (*)(**)
Rick Mann (*)(**)
Adam Teitzman (*)(**)
Theresa Tan (*)(**)
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
pwiggins@psc.state.fl.us
rmann@psc.state.fl.us
ateitzma@psc.state.fl.us
ltan@psc.state.fl.us

Avalon Development, LLC

Attn: Stokes & Griffith Properties, LLC
Registered Agent
John C. Kunkel
4315 Pablo Oaks Court
Suite 1
Jacksonville, FL 32224-9667

Stokes & Griffith Properties, LLC

Attn: Chester E. Stokes, Jr.

Registered Agent
Chester E. Stokes, Jr.
4315 Pablo Oaks Court
Suite 1
Jacksonville, FL 32224-9667

Richmond American Homes of FL, LP

Attn: RAH of Florida, Inc. 4350 South Monaco Street Suite 500 Denver, Colorado 80237

Registered Agent

Richmond American Homes of FL, LP c/o CT Corporation System 1200 South Pine Island Road Plantation, Florida 33324

Lindhorst Construction, Inc.

Attn: Dale A. Lindhorst 5119 Commercial Way Spring Hill, Florida 34606

Registered Agent

Dale Lindhorst 4393 Mallard Lake Drive Brooksville, FL 34609

Lexington Homes, Inc.

Attn: Craig S. Gallagher 6115 Guilford Drive New Port Richey, FL 34655

Registered Agent

Craig J. Fiebe 5623 US Highway 19 Suite 201 New Port Richey, FL 34652

William Ryan Homes Florida, Inc.

Attn: Martin M. Ryan 3925 Coconut Palm Avenue Suite 117 Tampa, FL 33619

Registered Agent

William Ryan Homes Florida, Inc. c/o CT Corporation System 1200 South Pine Island Road Plantation, FL 33324

Walt Steimel (*)
Greenberg Traurig
800 Connecticut Avenue, N.W.
Suite 500
Washington, D.C. 20006
Tel. No. (202) 452-4893
steimelw@gtlaw.com

Mallory Gayle Holm Vice President Avalon Development, LLC 4315 Pablo Oaks Court Jacksonville, FL 32224

Manuel A. Guidian

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of AT&T Florida for Relief from) Docket No: 070126-TL Carrier-of-Last-Resort Obligations Pursuant)
To Florida Statutes §364.025(6)(d) (Avalon)) Filed: August 14, 2007

AT&T FLORIDA'S MOTION FOR CONTINUANCE

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") respectfully requests that the Florida Public Service Commission ("Commission") continue the prehearing conference and hearing in the above-captioned docket and suspend the currently remaining prehearing deadlines for rebuttal testimony and discovery established in Order No. PSC-07-0606-PCO-TL. In support thereof, AT&T Florida states as follows:

- 1. On July 30, 2007, the Commission issued its Order Establishing Procedure, Order No. PSC-07-0606-PCO-TL ("Order"), which scheduled an administrative hearing in this docket for September 6, 2007. In addition to providing a hearing date, the Order provides for certain dates for the filing of testimony, prehearing statements, discovery requests, etc.
- 2. On or about August 6, 2007, AT&T Florida filed its Motion for Final Summary Order ("Motion") in this docket. Since it filed its Motion, AT&T Florida has filed responses to Staff's discovery and Staff has filed the testimony of two witnesses. AT&T Florida believes that this case can be decided by the Commission on a summary basis and that it would be beneficial to allow it an opportunity to supplement its Motion to address the additional discovery and Staff's witness testimony
- 3. AT&T Florida further believes that a Commission decision on its Motion prior to the administrative hearing will promote judicial economy in that if the

Commission grants the Motion, the matter will be resolved and there would be no need for an administrative hearing.

- 4. On September 11, 2007, the Commission is scheduled to issue its decision in the Nocatee docket. AT&T Florida believes that the Commission's decision in the Nocatee docket will be instructive and potentially narrow the issues in the instant docket and, thus, promote judicial economy.
- 5. AT&T Florida proposes that upon issuance of the Commission's Orders in the Nocatee docket and on AT&T Florida's Motion, the Commission would then issue an Order resetting the currently remaining prehearing deadlines of rebuttal testimony and discovery, the prehearing conference and the hearing date in the instant matter.
- 6. No party will be prejudiced by the granting of this Motion for Continuance as Avalon Development, LLC withdrew its formal objection to AT&T Florida's Petition on July 11, 2007 and no other party has intervened in this docket.

WHEREFORE, AT&T Florida respectfully requests that the Commission grant its request for continuance of the administrative hearing scheduled for September 6, 2007 and prehearing conference scheduled for August 20, 2007, and suspension of the currently remaining prehearing deadlines for rebuttal testimony and discovery established in Order No. PSC-07-0606-PCO-TL.

Respectfully submitted this 14th day of August, 2007.

AT&T FLORIDA

James Meza MI

AUTHORIZED HOUSE COUNSEL NO. 464260

Tracy W. Hatch Manuel A. Gurdian c/o Nancy H. Sims 150 South Monroe Street

Suite 400

Tallahassee, Florida 32301

(305) 347-5558,

E. Earl Edenfield, Jr.

AT&T Southeast

675 West Peachtree Street, Suite 4300

Atlanta, Georgia (404) 335-0763