

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Comcast Phone of Florida, LLC d/b/a Comcast Digital Phone for arbitration of an interconnection agreement with Quincy Telephone Company d/b/a TDS Telecom, pursuant to Section 252 of the Federal Communications Act of 1934, as amended, and Sections 120.57(1), 120.80(13), 364.012, 364.15, 364.16, 364.161, and 364.162, F.S., and Rule 28-106.201, F.A.C.

DOCKET NO. 080731-TP
ORDER NO. PSC-09-0507-PCO-TP
ISSUED: July 17, 2009

ORDER GRANTING TDS QUINCY'S REQUEST FOR OFFICIAL RECOGNITION

On June 29, 2009, Quincy Telephone Company, d/b/a TDS Telecom/Quincy Telephone ("TDS Quincy") filed its request for official recognition of the following decisions of the FCC and other state regulatory authorities:

1. *In re Time Warner Cable Request for Declaratory Ruling that Competitive Local Exchange Carriers May Obtain Interconnection under Section 251 of the Communications Act of 1934 as Amended to Provide Wholesale Telecommunications Services to VoIP Providers*, Memorandum Opinion and Order, 22 F.C.C.R. 3513, 22 FCC Rcd. 3513, 2007 WL 623570 (FCC Mar. 1, 2007) ("TWC" or "Time Warner").
2. *In re Deployment of Wireline Services Offering Advanced Telecommunications Capability*, CC Docket No. 98-147, Memorandum Opinion and Order and Notice of Proposed Rulemaking, 13 F.C.C.R. 24012, 13 FCC Rcd. 24012, 1998 WL 458500 (FCC Aug. 7, 1998).
3. *In re Bright House Networks, LLC v Verizon California, Inc.*, 23 F.C.C.R. 10704, 23 FCC Rcd. 10704, 2008 WL 2491998 (FCC June 23, 2008) ("Bright House").
4. *In re Vonage Holding Corporation, Petition for Declaratory Ruling Concerning an Order of the Minnesota Public Utilities Commission*, Memorandum Opinion and Order, 19 F.C.C.R. 22,404, 19 FCC Rcd. 22,404, 2004 WL 2601194 (FCC Nov. 12, 2004) ("Vonage Order").
5. *In re IP-Enabled Services, Notice of Proposed Rulemaking*, 19 F.C.C.R. 4863, 19 FCC Rcd. 4863, 2004 WL 439260 (FCC Feb. 12, 2004).
6. *F. Cary Fitch D/B/A/ Fitch Affordable Telecom Petition For Arbitration Against SRC Texas Under §252 of the Communications Act*, Proposal for Award, Texas PUC Docket No. 29415, p. 20, Jun. 2005, *aff'd*, *F. Cary Fitch v. Public Utility Commission of Texas*, Fed.Appx. 788, 2008 WL 148940 (5th Cir. 2008) ("Fitch Arbitration").

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There have been no responses or objections to the aforementioned request.

Upon consideration, I hereby find that these decisions of the FCC and other state regulatory authorities are documents for which this Commission may take official recognition pursuant to Sections 90.202 and 90.203, Florida Statutes. Accordingly, I hereby grant TDS Quincy's Request for Official Recognition.

Based on the foregoing, it is

ORDERED by Commissioner Nancy Argenziano, as Prehearing Officer, that Quincy Telephone Company, d/b/a TDS Telecom/Quincy Telephone's Motion for Official Recognition is granted as set forth in the body of this Order.

By ORDER of Commissioner Nancy Argenziano, as Prehearing Officer, this 17th day of July, 2009.



NANCY ARGENZIANO
Commissioner and Prehearing Officer

(S E A L)

TJB

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; or (2) 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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.