

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

RECEIVED
NOV -2-1995

DATE: NOVEMBER 1, 1995
TO: ALL PARTIES OF RECORD
FROM: DONNA L. CANZANO, STAFF COUNSEL
DIVISION OF LEGAL SERVICES
RE: DOCKET NO. 950985A-TP - RESOLUTION OF PETITION(S) TO ESTABLISH
NONDISCRIMINATORY RATES, TERMS, AND CONDITIONS FOR
INTERCONNECTION INVOLVING LOCAL EXCHANGE COMPANIES AND
ALTERNATIVE LOCAL EXCHANGE COMPANIES PURSUANT TO
SECTION 364.162, FLORIDA STATUTES

FPSC-RECORDS/REPORTING
11:30

VIA-FACSIMILE

Attached is a draft of the Order Modifying Procedural Dates that has been signed and will be issued Thursday, November 2, 1995.

If you have any questions, please call my office at (904) 413-6202.

cc: Division of Records and Reporting
Division of Communications

DOCUMENT NUMBER-DATE
10810 NOV-2 1995
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution of) DOCKET NO. 950985A-TP
petition(s) to establish) ORDER NO.
nondiscriminatory rates, terms) ISSUED:
and conditions for)
interconnection involving local)
exchange companies and)
alternative local exchange)
companies pursuant to Section)
364.162, Florida Statutes.)

ORDER MODIFYING PROCEDURAL DATES

The dates to accommodate the formal administrative hearing set for the resolution of Continental Cablevision, Inc.'s (Continental) petition were set forth in Order No. PSC-95-1311-PCO-TP, issued October 25, 1995.

On October 31, 1995, Continental filed a Motion for Stay of Proceeding and to Hold Proceeding in Abeyance with Respect to GTE, United and Centel. Continental believes that the Commission's action in Docket No. 950696-TP will have an effect on the local interconnection rate being negotiated by Continental and BellSouth. However, Continental is uncertain how the ultimate interconnection rate between Continental and BellSouth will be affected by the Commission's action in that docket in light of the prohibition against discrimination in such rates established by Section 364.162, Florida Statutes (1995). Consequently, Continental seeks to await the Commission's vote on the issues in Docket No. 950696-TP before proceeding herein.

Continental also requests that the Commission hold this docket in abeyance with respect to GTE, United and Centel until the parties have had 60 days in which to negotiate.

Continental states that it will file a status report on or before December 15, 1995 indicating whether a final hearing involving the BellSouth issues will be necessary. Also, Continental states that it will indicate the status of the negotiations with GTE, United and Centel.

Counsel for Continental states that he has conferred with the counsel for the other parties to this docket regarding the stay request and is authorized to represent that no party object to the stay requested herein.

In consideration of Continental's motion, the following procedural dates have been modified with respect to testimony relating to Continental's petition to establish interconnection rates with BellSouth:

- 1) Respondent's direct testimony, November 13, 1995
exhibits, proposed list of issues,
and provisions that have been agreed
upon and those issues that are
unresolved.
- 2) Intervenor's direct testimony November 13, 1995
and exhibits
- 3) Prehearing Statements November 27, 1995
- 4) Rebuttal testimony and November 27, 1995
exhibits

Further decisions regarding the remaining procedural dates, including those related to Continental's interconnection rates with the remaining local exchange companies, will be issued in a subsequent order.

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that Order No. PSC-95-1311-PCO-TP has been modified as discussed in the body of this Order.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this _____ day of _____, _____.

J. TERRY DEASON, Commissioner and
Prehearing Officer

(S E A L)

DLC

ORDER NO.
DOCKET NO. 950985A-TP
PAGE 3

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), 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.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution of) DOCKET NO. 950985A-TP
petition(s) to establish)
nondiscriminatory rates, terms,) FILED: NOVEMBER 1, 1995
and conditions for)
interconnection involving local)
exchange companies and)
alternative local exchange)
companies pursuant to Section)
364.162, Florida Statutes.)
_____)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Memorandum regarding the November 2, 1995 issuance of an Order Modifying Procedural Dates, in the above referenced docket, has been sent VIA-FACSIMILE on this 1st day of November, 1995, and that true and correct copies thereof have been furnished by U.S. Mail on the 2nd day of November, 1995, to the following:

Charles Beck
Deputy Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison St., Room 812
Tallahassee, FL 32399-1400

Nels Roseland
Executive Office of the Governor
Office of Planning and Budget
The Capital, Room 1502
Tallahassee, FL 32399-0001

Clay Phillips
Utilities & Telecommunications
Room 410 House Office Building
Tallahassee, FL 32399

Greg Krasovsky
Commerce & Economic
Opportunities
Room 426 Senate Office Building
Tallahassee, FL 32399

Charles W. Murphy, Esquire
Pennington Law Firm
P. O. Box 10095
Tallahassee, FL 32302

Richard D. Melson, Esquire
Hopping, Green, Sams & Smith
P. O. Box 6526
Tallahassee, FL 32314

Michael Tye, Esquire
AT&T
106 East College Avenue, #1420
Tallahassee, FL 32301

Jill Butler
2773 Red Maple Ridge, #301
Tallahassee, FL 32301

CERTIFICATE OF SERVICE
DOCKET NO. 950985A-TL

Patrick K. Wiggins
Wiggins & Villacorta, P.A.
Post Office Drawer 1657
Tallahassee, FL 32302

H. W. Goodall
Continental Fiber
Technologies, Inc.
4455 BayMeadows Road
Jacksonville, FL 32217-4716

Ken Hoffman, Esquire
Rutledge, Ecenia, Underwood,
Purnell & Hoffman
P. O. Box 551
Tallahassee, FL 32302

Steven D. Shannon
MCI Metro Access Transmission
Services, Inc.
2250 Lakeside Blvd.
Richardson, TX 75082

Andrew D. Lipman
Metropolitan Fiber Systems
of Florida, Inc.
One Tower Lane, Suite 1600
Oakbrook Terrace, IL 60181-4630

Leslie Carter
Digital Media Partners
1 Prestige Place, Suite 255
Clearwater, FL 34619-1098

Leo I. George
Winstar Wireless of
Florida, Inc.
1146 19th Street, N.W.
Suite 200
Washington, DC 20036

Laura Wilson, Esquire
FCTA
310 North Monroe Street
Tallahassee, FL 32302

James C. Falvey, Esquire
Swidler & Berlin, Chartered
3000 K Street, N.W., Suite 300
Washington, DC 20007

Patricia Kurlin
Intermedia Communications of
Florida, Inc.
9280 Bay Plaza Blvd., Suite 720
Tampa, FL 33619-4453

David Erwin, Esquire
Young Law Firm
P. O. Box 1833
Tallahassee, FL 32302-1833

Graham A. Taylor
TCG South Florida
1001 W. Cypress Creek Rd.
Suite 209
Ft. Lauderdale, FL 33309-1949

John Murray
Payphone Consultants, Inc.
3431 N.W. 55th Street
Ft. Lauderdale, FL 33309-6308

Richard A. Gerstemeier
Time Warner AXS of Florida, L.P.
2251 Lucien Way, Suite 320
Maitland, FL 32751-7023

Gary T. Lawrence
City of Lakeland
501 East Lemon Street
Lakeland, FL 33801-5079

Marsha Rule, Esquire
Wiggins & Villacorta
Post Office Drawer 1657
Tallahassee, FL 32302

CERTIFICATE OF SERVICE
DOCKET NO. 950985A-TL

Kimberly Caswell, Esquire
c/o Richard M. Fletcher
GTE Florida Incorporated
106 East College Ave., Ste. 1440
Tallahassee, FL 32301-7704

Lee L. Willis, Esquire
J. Jeffry Wahlen, Esquire
Macfarlane, Ausley, Ferguson
and McMullen
227 S. Calhoun Street
Tallahassee, FL 32301

Jodie Donovan-May, Esquire
TCG - Washington, D.C.
2 Lafayette Center
1133 Twenty-First St., N.W.
Suite 400
Washington, D.C. 20036


Floyd Self, Esquire
Messer Law Firm
Post Office Box 1876
Tallahassee, FL 32302

F. Ben Poag
Sprint/United - Florida
Sprint/Centel - Florida
P. O. Box 165000 (M.C. #5326)
Altamonte Springs, FL 32716-5000

J. Phillip Carver, Esquire
c/o Nancy H. Sims
Southern Bell Telephone
& Telegraph Company
150 S. Monroe St., Suite 400
Tallahassee, FL 32301

Robin Dunson, Esquire
AT&T
1200 Peachtree Street, NE
Promenade I, Room 4038
Atlanta, FL 30309

Donald Crosby, Esquire
7800 Belfort Parkway
Suite 200
Jacksonville, FL 32256-6825



DONNA L. CANZANO
Staff Counsel

Florida Public Service Commission
Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(904) 413-6199