

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint against Verizon Florida, LLC and MCI Communications Services, Inc. d/b/a Verizon Business Services for failure to pay intrastate access charges for the origination and termination of intrastate interexchange telecommunications service, by Bright House Networks Information Services (Florida), LLC.

DOCKET NO. 110056-TP  
ORDER NO. PSC-12-0018-PCO-TP  
ISSUED: January 6, 2012

ORDER GRANTING MOTION FOR TEMPORARY SUSPENSION  
OF PROCEDURAL SCHEDULE

On September 27, 2011, I issued Order No. PSC-11-0417-PCO-TP, the Order Establishing Procedure in this docket. By that Order I established the filing dates for the parties' Direct and Rebuttal Testimony, as well as a discovery cut-off date. I also set a date for the Prehearing Conference, and set this matter for hearing on March 6 and 7, 2012.

On November 23, 2011, Bright House Networks Information Services (Florida), LLC, ("Bright House") filed a Motion for Extension of Time to File Rebuttal Testimony ("First Motion"). On November 30, 2011, I issued Order No. PSC-11-0549-PCO-TP, granting Bright House's First Motion and extending the date for filing Rebuttal Testimony until December 16, 2011. On December 14, 2011, Bright House filed a Motion for Further Extension of Time to File Rebuttal Testimony ("Second Motion"); on December 16, 2011, I issued Order No. PSC-11-0577-PCO-TP, granting Bright House's Second Motion and extending the date for filing Rebuttal Testimony until January 4, 2012.

On January 3, 2012, Bright House filed a Motion to Temporarily Suspend Procedural Schedule ("Motion to Suspend"). In the Motion to Suspend, Bright House asserts that as a result of discussions between the parties, a settlement in principle has been achieved, which will resolve all issues in this docket. Bright House states that counsel for both parties require additional time to work out the details of a final settlement agreement, and requests that all remaining filing dates, as well as the scheduled prehearing and hearing dates, be temporarily suspended so the parties can focus on finalizing the settlement of this matter. Bright House goes on to aver that once a settlement is finalized, the parties anticipate Bright House will ask that this Complaint be dismissed.

Upon review, I find that Bright House has alleged sufficient grounds to support its Motion for Temporary Suspension of the Procedural Schedule. I find that no party will be prejudiced by suspension of all activities in this docket and the cancellation of the February 28, 2012, Prehearing Conference and the March 6 and 7, 2012, hearing dates. Therefore, Bright House's Motion to Suspend is granted, and all remaining activities in this docket are suspended, including responses to outstanding discovery requests. If the parties are unable to reach a final settlement agreement and voluntarily dismiss this action, they shall so notify the Commission, and I will establish a new procedural schedule by subsequent Order.

DOCUMENT NUMBER DATE

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FPSC-COMMISSION CLERK

Based on the foregoing, it is

ORDERED by Commissioner Eduardo E. Balbis, as Prehearing Officer, that Bright House Network Information Services (Florida) LLC's Motion to Temporarily Suspend Procedural Schedule is Granted. It is further

ORDERED that all dates established in Order No. PSC-11-0417-PCO-TP are hereby cancelled. It is further

ORDERED that if this matter is not voluntarily dismissed, upon proper motion I will re-establish a procedural schedule, including new Prehearing Conference and Hearing dates.

By ORDER of Commissioner Eduardo E. Balbis, as Prehearing Officer, this 6th day of January, 2012.



EDUARDO E. BALBIS  
Commissioner and Prehearing Officer  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

LDH

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.