

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Joint Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Switching in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 01-02-024
(Filed February 21, 2001)

Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Loops in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 01-02-035
(Filed February 28, 2001)

Application of The Telephone Connection Local Services, LLC (U 5522 C) for the Commission to Reexamine the Recurring Costs and Prices of the DS-3 Entrance Facility Without Equipment in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 02-02-031
(Filed February 28, 2002)

Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Interoffice Transmission Facilities and Signaling Networks and Call-Related Databases in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 02-02-032
(Filed February 28, 2002)

Application of Pacific Bell Telephone Company (U 1001 C) for the Commission to Reexamine the Costs and Prices of the Expanded Interconnection Service Cross-Connect Network Element in the Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 02-02-034
(Filed February 28, 2002)

Application of XO California, Inc. (U 5553 C) for the Commission to Reexamine the Recurring Costs of DS1 and DS3 Unbundled Network Element Loops in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 02-03-002
(Filed March 1, 2002)

**ADMINISTRATIVE LAW JUDGE’S RULING GRANTING
REQUEST FOR EXTENSION OF COMMENT PERIOD**

On May 10, 2004, AT&T Communications of California, Inc. (AT&T) and MCI, Inc. (MCI, formerly “WorldCom”) (collectively, “Joint Applicants”) requested an additional 20 days and a 50 page increase in the page limit for comments on the Administrative Law Judge’s (ALJ’s) Proposed Decision and the Alternate Decision of Commissioner Wood issued May 3, 2004 in this

proceeding. Joint Applicants contend the request is warranted to allow parties due process given the length of the decisions, the complexity of the issues, the size of the record, and other resource constraints. Several other parties to the proceeding support this request.

Pacific Bell Telephone Company (SBC California) opposes this request, stating that Commission rules limit comments to legal, technical and factual errors that the parties should be able to identify succinctly within the 20-day comment period and the 25 pages allotted for comments. According to SBC California, an extension is not warranted given the narrow focus of comments and given that the Proposed Decision and Alternate Decision are identical except for two modeling inputs.

The motion of Joint Applicants is granted, in part. Joint Applicants have not justified the need for a 40-day comment period, rather than the usual 20, along with a tripling of the page limit for comments (from 25 to 75 pages). Nevertheless, because I recognize that this proceeding is unusual and always uses more time and pages than one might think necessary, I will grant seven additional days and an additional 5 pages for comments on the decisions. To be clear, parties should file separate comments on the ALJ's Proposed Decision and the Alternate Decision, and each set of comments is limited to 30 pages. In addition, I will increase the page limit for reply comments to 10 pages from the usual 5.

SBC California is correct that the two draft decisions are identical except for two modeling inputs. While it is true that the decisions are long and the record is voluminous, the comments on the decisions should be limited to factual, technical or legal errors and there is no need for recapitulation of the voluminous record to comment on the decision. The Commission's model runs

are explained in the decisions, and the parties have numerous technical experts quite familiar with the various inputs that can no doubt recreate these runs in short order. Joint Applicants contend they need substantial time and pages to explain “issues” identified in the order. The only explanations required are of factual, technical or legal errors, which the parties should explain concisely.

Therefore, **IT IS RULED** that:

1. The motion for an extension of the comment deadline and page limit filed by AT&T Communications of California, Inc. and MCI, Inc. (formerly “WorldCom”) is granted, in part.
2. Parties may file comments on the Administrative Law Judge’s Proposed Decision, limited to 30 pages, on June 1, 2004.
3. Parties may file comments on the Alternate Decision of Commissioner Wood, limited to 30 pages, on June 1, 2004.
4. Parties may file reply comments on the Proposed Decision and Alternate Decision on June 7 2004, and these comments are limited to 10 pages for each decision.

Dated May 18, 2004, at San Francisco, California.

/s/ Dorothy J. Duda

Dorothy J. Duda
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge’s Ruling Denying Request for Extension of Comment Period on all parties of record in this proceeding or their attorneys of record.

Dated May 18, 2004, at San Francisco, California.

/s/ Antonina V. Swansen
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission’s policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, *e.g.*, sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.