

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

O1 Communications, Inc. (U6065C),

Complainant,

vs.

Verizon Communications, Inc., Verizon
California, Inc. (U1002C), MCI Communications
Services, Inc., dba Verizon Business Services
(U5378C), Verizon Global Networks, Inc., and,
MCI Metro Access Transmission Services, dba
Verizon Access Transmission Services (U5253C),

Defendants.

Case 13-04-008
(Filed April 11, 2013)

ORDER EXTENDING STATUTORY DEADLINE

Summary

This decision extends the statutory deadline in this proceeding to April 11, 2015.

Background

Public Utilities Section 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of the date that they are initiated unless the California Public Utilities Commission (Commission) makes findings as to why that deadline cannot be met and issues an order extending that deadline. This matter has been categorized as adjudicatory, and the 12-month deadline for resolving this proceeding is April 11, 2014.

On April 11, 2013, O1 Communications, Inc. (Complainant,) filed this complaint against Verizon Communications, Inc., Verizon California, Inc., Verizon Business Services, Verizon Global Networks, Inc., and Verizon Access Transmission Services (Verizon,) pursuant to Pub. Util. Code Sections 701, 702, 761, 1701, and 1702, and Article IV of the Commission's Rules of Practice and Procedure. At the time of filing, Complainant requested expedited treatment because Verizon has threatened imminent disconnection of Complainant's network.

Subsequently, it was discovered that some of the defendants named were using their fictitious name rather than the complete legal name set forth in the Commission's Utility Contact Information System Database. On June 3, 2013, the assigned Administrative Law Judge (ALJ) issued a ruling to amend the caption to include the complete legal names of all defendants as appears in this decision.

Parties have been actively involved in the proceeding filing several motions, responses, and replies. On June 17, 2013, the assigned ALJ issued a ruling granting Complainant's motion for a temporary restraining order for a period of 75 days and ordered parties to immediately pay all undisputed charges to each other.

A ruling dated December 12, 2013, denied the joint motion of two of the five above-named defendants to dismiss, in part, the complaint. The ruling also extended the temporary restraining order for another 90 days and ordered Verizon California, Inc. to submit a schedule of all monies it claims Complainant owes to it. A Prehearing Conference was held on February 25, 2014, to schedule the proceeding. The complaint is now in abeyance to give the parties the opportunity to attempt to settle. Therefore, an extension of the statutory

deadline to April 11, 2015, is needed to allow adequate time for the parties to resolve their dispute and present a settlement agreement to the Commission for consideration.

Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment on proposed decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to this rule, the otherwise applicable period for public review and comment is waived.

Assignment of Proceeding

Michel Peter Florio is the assigned Commissioner and Karl Bemesderfer is the assigned ALJ in this proceeding.

Findings of Fact

1. The 12-month deadline for resolving this complaint case is April 11, 2014.
2. The complaint is now in abeyance to give the parties the opportunity to attempt to settle.
3. An extension of time until April 11, 2015 is necessary to allow adequate time for the parties to resolve their dispute and present a settlement agreement to the Commission for consideration.

Conclusions of Law

1. The deadline for resolving this proceeding should be extended until April 11, 2015.
2. This matter should be effective immediately.

IT IS ORDERED that the time for completion of this complaint case is extended until April 11, 2015.

This order is effective today.

Dated _____, at San Francisco, California.