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October 12, 1994

IN REPLY REFER TO:
Tallahassee

BY HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32301

**ORIGINAL
FILE COPY**

Re: In re: Expanded Interconnection Phase II and
Local Transport Restructure; Docket Nos. 921074-TP,
930955-TL, 940014-TL, 940020-TL and 931196-TL

Dear Ms. Bayo:

Enclosed for filing in the above-styled docket are the original and fifteen (15) copies of ALLTEL Florida, Inc.'s Brief and Posthearing Statement of Issues and Positions.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Sincerely,

RECEIVED & FILED
man
EPSC-BUREAU OF RECORDS

Jeffrey Wahlen
J. Jeffrey Wahlen

- ACK ✓
- AFA _____
- APP _____
- CAF _____
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- CTR _____
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- LEG *Conzans*
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- RCH _____
- SEC 1
- WTS _____
- JTH _____

JJW/csu
Enclosures

cc: Parties of Record (w/encl.)
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Expanded Interconnection) Docket Nos. 921074-TP,
Phase II and Local Transport) 930955-TL, 940014-TL,
Restructure) 940020-TL, and 931196-TL
_____) Filed: 10/12/94

ALLTEL FLORIDA, INC.'S BRIEF AND
POSTHEARING STATEMENT OF ISSUES AND POSITIONS

Pursuant to Order No. PSC-94-0076-PCO-TL and Rule 25-22.056, F.A.C., ALLTEL Florida, Inc. ("ALLTEL" or the "Company") files this Brief and Posthearing Statement of Issues and Positions.

I.

INTRODUCTION

ALLTEL is a Tier 2 local exchange company ("LEC") [Tr. 93] that serves approximately 61,000 access lines in 13 north central Florida counties [Tr. 90-91]. ALLTEL is the fifth largest LEC in Florida [Tr. 91].

ALLTEL offered the testimony of H.E. Eudy at the final hearing in the proceeding. Her testimony was admitted into the record as though read [Tr. 88-101]. Her exhibit, No. 5, was also admitted into the record [Tr. 107].

II.

BRIEF

ALLTEL's participation in this hearing was limited to only those issues having a direct impact on Tier 2 LECs like ALLTEL (i.e., issues 9, 19-23A). Issue No. 9, regarding which LECs should provide switched access expanded interconnection, was stipulated by

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the parties. That stipulation was approved by the Commission [Tr. 17-18].

As far as the local transport issues (Nos. 19-23) are concerned, ALLTEL's position is simple:

1. ALLTEL expects to concur in the new local transport tariff rates and structure filed by Southern Bell [Tr. 99].
2. In order to assure ALLTEL's revenue neutrality, ALLTEL's residual interconnection rates will need to be different than Southern Bell's [Tr. 100].
3. As a result of this proceeding, there is no need to change the current MABC plan, rates and rate structure at this time [Tr. 100]. Changes may be necessary later [Tr. 100, 106].
4. ALLTEL does not expect to concur in Southern Bell's Zone Density Pricing Tariff [Tr. 100].

As to the final issue in this case (No. 23A), ALLTEL believes that the result reached in Phase I for Tier 2 LECs is reasonable and proper. However, in light of the Bell Atlantic case, the Commission should clarify its Phase I decision to make it clear that the FPSC cannot and will not resolve unsuccessful negotiations between Tier 2 LECs and a bona fide requester in any manner that conflicts with the Court of Appeals decision. While it can be argued that this concept is axiomatic, a clarification that the FPSC will not order physical collocation as a means to resolve a dispute will give the parties clear notice as to the FPSC's intent

in this area, and provide a well focused background against which negotiations can occur.

ISSUES AND POSITIONS

ISSUES 1-2:

ALLTEL did not take a position on these issues.

ISSUE 9:

This issue was stipulated as follows: Only Tier 1 LECs (Southern Bell, GTEFL, United, and Centel) shall be required to offer switched access expanded interconnection. If a non-Tier 1 LEC receives a bona fide request for expanded interconnection but the terms and conditions cannot be negotiated by the parties, the Commission shall review such a request on a case-by-case basis. If the parties agree on expanded interconnection, the terms and conditions shall be set by individual negotiation.

ISSUE 19: Should the Commission modify its pricing and rate structure regarding switched transport service?

- a) With the implementation of switched expanded interconnection.
- b) Without the implementation of switched expanded interconnection.

POSITION: Agree with Southern Bell.

ISSUE 20: If the Commission changes its policy on the pricing and rate structure of switched transport service, which of the following should the new policy be based on:

- a) The intrastate pricing and rate structure of local transport should mirror each LEC's interstate filing, respectively.
- b) The intrastate pricing and rate structure of local transport should be determined by competitive conditions in the transport market.

- c) The intrastate pricing and rate structure of local transport should reflect the underlying cost based structure.
- d) The intrastate pricing and rate structure of local transport should reflect other methods.

POSITION: Agree with Southern Bell.

ISSUE 21: Should the LECs proposed local transport restructure tariffs be approved? If not, what changes should be made to the tariffs?

POSITION: Agree with Southern Bell.

ISSUE 22: Should the Modified Access Based Compensation (MABC) agreement be modified to incorporate a revised transport structure (if local transport restructure is adopted) for intraLATA toll traffic between LECs?

POSITION: Agree with Southern Bell.

ISSUE 23: How should the Commission's imputation guidelines be modified to reflect a revised transport structure (if local transport restructure is adopted)?

POSITION: Agree with Southern Bell.

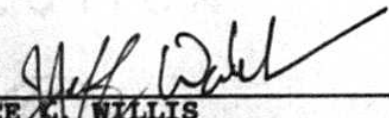
ISSUE 23A: Should the Commission modify the Phase I Order in light of the decision by the United States Court of Appeals for the District of Columbia Circuit?

POSITION: Yes. The Commission should modify its Phase I Order to make it clear that the FPSC cannot and will not resolve unsuccessful negotiations between non-Tier 1 LECs and a bona fide request in any manner that conflicts with the Court of Appeals decision.

C O R R E S P O N D
25 OCT 1981

C O R R E S P O N D

DATED this 12th day of October, 1994.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail or hand delivery (*) this 12th day of October, 1994, to the following:

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