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January 9, 1998

BY HAND DELIVERY

Ms. Blanca Bayo, Director
Division of Records and Reporting
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket Nos. 960757-TP, 960833-TP and 960846-TP

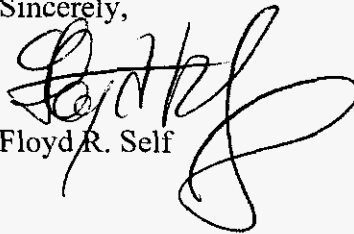
Dear Ms. Bayo:

Enclosed for filing are an original and fifteen copies of a Joint Motion to Strike Portions of Testimony and Exhibits in the above-referenced dockets.

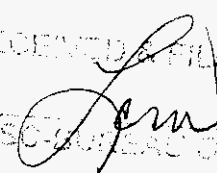
Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,


Floyd R. Self

- ACK
- AFA 1
- APP _____
- CAF _____
- CMD 1 *Sulmonetti*
- CRD _____
- ENC cc: Mr. Brian Sulmonetti
- LET 2 Parties of Record
- LIT 5
- CMR _____
- RCV _____
- SEC 1
- WAS _____
- QTH _____

RECEIVED & FILED

RECORDS & REPORTING

DOCUMENT NUMBER-DATE
00497 JAN-98
FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Metropolitan Fiber Systems of Florida, Inc. for arbitration with BellSouth Telecommunications, Inc. concerning interconnection rates, terms and conditions, pursuant to the Federal Telecommunications Act of 1996

Docket No. 960757-TP

In re: Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996.

Docket No. 960833-TP

In re: Petition by MCI Telecommunications Corporation and MCI Metro Access Transmission Services, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996.

Docket No. 960846-TP
Filed: January 9, 1998

JOINT MOTION TO STRIKE PORTIONS OF TESTIMONY AND EXHIBITS

Comes now WorldCom, Inc., for itself and its subsidiary Metropolitan Fiber Systems of Florida, Inc., MCI Telecommunications, Corp. and AT&T Communications of the Southern States, Inc. ("Joint Petitioners") through undersigned counsel and requests the Commission to strike portions of the testimony and exhibits filed by of BellSouth in this docket. As basis Joint Petitioners would show:

- 1. This phase of these dockets was intended to develop prices for those unbundled rates which were deemed to be "interim" following the action of the Commission after arbitration.

DOCUMENT NUMBER-DATE

00497 JAN-98

FPSC-RECORDS/REPORTING

Order No. PSC-96-1531-FOF-TP issued December 16, 1996 (WorldCom) and Order No. PSC-96-1579-FOF-TP issued December 31, 1996 (AT&T and MCI), the Commission set permanent rates for certain unbundled elements and “interim” rates for other elements because of the lack of cost studies for those elements. BellSouth was required to file cost studies for each of the “interim” rates. (Order No. PSC-96-1579, p. 109.)

2. The elements to be addressed in this proceeding were identified by the Commission in Order No. PSC-96-1579. The issues were further refined and developed by the parties in informal conferences. The issues to be addressed were attached to Order No. PSC-97-1303-PCO-TP, the procedural order in this docket. Throughout this activity, BellSouth has maintained the position that the only prices at issue are those for elements for which cost studies were required by the Commission in Order No. 96-1579. In fact, WorldCom proposed the inclusion of an issue to address the recurring and nonrecurring rates for geographically deaveraged loop but BellSouth objected to the issue because the issue had been resolved by the Commission and further the Commission did not specifically order cost studies on deaveraged loops. (Order PSC-97-1303 pp. 6, 7.) Now, despite continually objecting to inclusion of any element that was not identified as “interim” by the Commission, BellSouth has presented testimony and exhibits of Alphonso J. Varner and others addressing prices for OSS elements. OSS is not identified in Order No. PSC-97-1303 as an issue in this docket. There are not now, nor have there ever been, any issues in this phase of these dockets with respect to OSS rates, and BellSouth should not be permitted to expand this proceeding in this manner. Accordingly, the testimony and exhibits presented by BellSouth addressing OSS should be stricken and not considered in this proceeding. Further, given the volume of data filed in this proceeding BellSouth should be required to identify all testimony, exhibits and data addressing OSS

and the Order issued pursuant to this Petition should clarify that rates of OSS are not at issue notwithstanding some data may be "in the record."

Wherefore, for the reasons cited, Joint Petitioners request that the Commission issue an order striking the testimony and exhibits of BellSouth addressing OSS and requiring BellSouth to identify all referenced to OSS rates and pricing.

Dated this 9th day of January, 1998.

Respectfully submitted,

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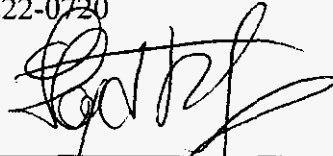
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and

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TRACY HATCH, ESQ.

Attorney for AT&T Communications of the
Southern States

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the Joint Motion to Strike Portions of Testimony and Exhibits in Docket Nos. 960757-TP, 960833-TP, and 960846-TP have been served upon the following parties by Hand Delivery (*) and/or U. S. Mail this 9th day of January, 1998.

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