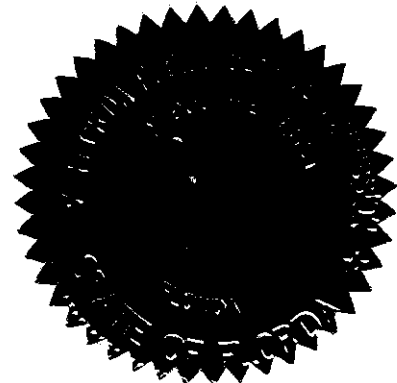


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of :
:
Complaint of WorldCom :
Technologies, Inc., against :
BellSouth Telecommunications, :
Inc., for breach of terms of :
Florida Partial Interconnection: :
Agreement under Sections 251 :
and 252 of the Telecommuni- :
cations Act of 1996 and :
request for relief. :

DOCKET NO. 971478-TP



Complaint of Teleport :
Communications, Inc. TCG South :
Florida, Inc., for Enforcement :
of Section IV.C of its :
Interconnection Agreement with :
BellSouth Telecommunications, :
Inc., request for relief. :

DOCKET NO. 980184-TP

Complaint of Intermedia :
Communications, Inc., against :
BellSouth Telecommunications, :
Inc., for breach of terms of :
Florida Partial Interconnection: :
Agreement under Sections 251 :
and 252 of the Telecommuni- :
cations Act of 1996 and :
request for relief. :

DOCKET NO. 980495-TP

Complaint of MCImetro Access :
Transmission Services, Inc., :
against BellSouth Telecommuni- :
cations, Inc., for breach of :
terms of interconnection :
agreement under Sections 251 :
and 252 of the Telecommuni- :
cations Act of 1996 and :
request for relief. :

DOCKET NO. 980499-TP

DOCUMENT NUMBER-DATE

FLORIDA PUBLIC SERVICE COMMISSION 98007 MAY 13 88

FPSC-RECORDS/REPORTING 444

1 PROCEEDINGS: PREHEARING CONFERENCE
2
3 BEFORE: COMMISSIONER J. TERRY DEASON
4 Prehearing Officer
5
6 DATE: Wednesday, May 13, 1998
7
8 TIME: Commenced at 9:30 a.m.
9 Concluded at 9:45 a.m.
10 PLACE: Betty Easley Conference Center
11 Room 152
12 4075 Esplanade Way
13 Tallahassee, Florida
14
15 REPORTED BY: H. RUTHE POTAMI, CSR, RPR
16 Official Commission Reporter
17 (850) 413-6732
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1 **APPEARANCES:**

2 **FLOYD R. SELF**, Messer, Caparello, & Self,
3 215 South Monroe Street, Post Office Box 1876,
4 Tallahassee, Florida 32302-1876, appearing on behalf
5 of **WorldCom Technologies, Inc.**

6 **JOHN R. ELLIS**, Rutledge, Ecenia, Underwood,
7 Purnell & Hoffman, P.O. Box 551, Tallahassee, Florida
8 32302-0551, appearing on behalf of **Teleport**
9 **Communications Group, Inc./TCG South Florida.**

10 **DONNA CANZANO**, Wiggins & Villacorta, P. A.,
11 Post Office Drawer 1657, 2145 Delta Boulevard, Suite
12 200, Tallahassee, Florida 32302, appearing on behalf
13 of **Intermedia Communications, Inc.**

14 **THOMAS K. BOND**, 780 Johnson Ferry Road,
15 Suite 700, Atlanta, Georgia 30342, appearing
16 telephonically on behalf of **MCI Telecommunications**
17 **Corporation.**

18 **NANCY B. WHITE**, 150 South Monroe Street,
19 Suite 400, Tallahassee, Florida 32301, appearing on
20 behalf of **BellSouth Telecommunications, Inc.**

21 **CHARLES J. PELLEGRINI**, Florida Public
22 Service Commission, Division of Legal Services, 2540
23 Shumard Oak Boulevard, Tallahassee, Florida
24 32399-0850, appearing on behalf of the **Commission**
25 **Staff.**

1 **MS. CANZANO:** Donna Canzano and Patrick
2 Wiggins appearing on behalf of Intermedia
3 Communications, Inc., and we're of the law firm
4 Wiggins & Villacorta.

5 **MR. PELLEGRINI:** Charlie Pellegrini
6 appearing on behalf of the Public Service Commission
7 Staff.

8 **COMMISSIONER DEASON:** Thank you. Mr. Bond,
9 can you hear us all appropriately?

10 **MR. BOND:** Yes, I can. Thank you,
11 Mr. Commissioner.

12 **COMMISSIONER DEASON:** All right. Are there
13 any preliminary matters?

14 **MR. PELLEGRINI:** I have one question of
15 Mr. Bond. Mr. Bond, do you intend to enter an
16 appearance for Mr. O'Roark?

17 **MR. BOND:** He is actually not going to do
18 the hearing, so I don't think there's any need to.

19 **MR. PELLEGRINI:** All right. The only
20 preliminary matter, I've discussed with all the
21 parties this morning, Commissioner Deason, a change, a
22 further change, in the hearing schedule to June 11th
23 and June 12th; and the parties are to reply to me as
24 soon as possible if that represents a problem of any
25 kind to them.

1 **COMMISSIONER DEASON:** Very well. I
2 understand that that's a possibility, and that's being
3 coordinated through the Chairman's office.

4 **MR. PELLEGRINI:** Yes. It's also my
5 understanding that we'll retain the briefing schedule
6 of 6/30.

7 **COMMISSIONER DEASON:** And parties are going
8 to communicate with Staff counsel if there are any
9 problems with that proposed modification. Very well.

10 **MR. PELLEGRINI:** And with that, I think we
11 can proceed.

12 **COMMISSIONER DEASON:** Do the parties have
13 any preliminary matters?

14 **MR. SELF:** Commissioner Deason, I don't know
15 if this is a preliminary matter or not, and I've not
16 had a chance to discuss this with the parties or
17 Mr. Pellegrini, but WorldCom would intend at the
18 hearing to ask the Commission to take official
19 recognition of the orders that approve the various
20 interconnection agreements which are detailed in the
21 Case Background section of the draft prehearing order.

22 **COMMISSIONER DEASON:** Any objection or
23 problem with that suggestion? (No response.)
24 Mr. Bond, did you hear that?

25 **MR. BOND:** Yes. MCI has no objection.

1 **COMMISSIONER DEASON:** Very well. Any other
2 preliminary matters? (No response.)

3 I propose, then, that we proceed through the
4 draft prehearing order. It appears to be
5 straightforward, but we will proceed section by
6 section beginning with Section 1, the Case Background.

7 **MR. PELLEGRINI:** Commissioner Deason, in the
8 Case Background in the third paragraph, with reference
9 to Intermedia, the reference to the interconnection
10 agreement is incorrect as stated; and I will make that
11 correction as advised by Ms. Canzano.

12 The correct agreement is the amended
13 agreement which was executed on February 24th, 1997,
14 in Docket No. 970314-TP. I'll reflect that correction
15 in the final draft.

16 **COMMISSIONER DEASON:** Okay. The only
17 question I had on the case background was the very
18 last paragraph indicating that Intermedia's petition
19 to intervene had been denied, and I think that was a
20 previous petition to intervene in a different docket;
21 and then, subsequent, there was a separate filing by
22 Intermedia, and that was incorporated into this series
23 of dockets we're hearing now.

24 **MS. CANZANO:** That's correct. And I
25 discussed this with Mr. Pellegrini prior to this

1 proceeding, so I do believe he will address that.

2 MR. PELLEGRINI: Yes. I'll rearrange the
3 final draft to make that clear.

4 COMMISSIONER DEASON: Okay. Any other
5 concerns with the Case Background?

6 MR. BOND: MCI has no concerns.

7 COMMISSIONER DEASON: Okay. Thank you,
8 Mr. Bond.

9 Section 2, Procedure for Handling
10 Confidential Information appears to be fairly
11 standard.

12 Section 3, Posthearing Procedures.
13 Section 4, Prefiled Testimony and Exhibits.
14 Section 5, Order of Witnesses.

15 MR. PELLEGRINI: I need to make a correction
16 there, Commissioner Deason. Julia Strow, the
17 Intermedia witness, her testimony will relate to
18 Issue 4 rather than 3; and the MCI witness, Ron
19 Martinez, his testimony will relate to Issue 3 and not
20 Issue 4.

21 COMMISSIONER DEASON: Any other concerns or
22 questions with the order of witnesses?

23 MR. BOND: MCI. Just for clarification, are
24 you switching the order of Ms. Strow and Mr. Martinez
25 to track the order of the issues, or do you want to

1 keep them in the same order you have listed?

2 MR. PELLEGRINI: I don't think it makes a
3 material difference. I'd just as soon leave them.

4 COMMISSIONER DEASON: Mr. Bond, do you have
5 a preference?

6 MR. BOND: I have no preference. I just
7 wanted to be clear on which -- whether they were being
8 switched completely or --

9 MR. PELLEGRINI: I'd suggest we leave the
10 order as stated.

11 COMMISSIONER DEASON: Is there any objection
12 to leaving the order --

13 MS. CANZANO: When you say the order -- I
14 just want to be clear -- the order of witnesses?

15 MR. PELLEGRINI: Yes.

16 MS. CANZANO: Okay.

17 COMMISSIONER DEASON: That will be Ball,
18 Kouroupas, Strow, Martinez and Hendrix. Very well.

19 MS. WHITE: May I ask if any of the parties
20 have any preference as to whether we do direct and
21 rebuttal at the same time?

22 COMMISSIONER DEASON: It's listed direct and
23 rebuttal, so I would assume that when the witness
24 takes the stand, he or she would be doing direct and
25 rebuttal; but if there's a problem with that, I'll

1 entertain a suggestion to do otherwise.

2 There appears to be no problem. Mr. Bond,
3 do you have a problem doing direct and rebuttal at the
4 same time?

5 **MR. BOND:** I have no problem. It would be
6 awful cumbersome to try to do it the other way with
7 this many witnesses. I think all of them filed
8 rebuttal.

9 **COMMISSIONER DEASON:** Okay. We'll just do
10 direct and rebuttal for each witness when he or she
11 takes the stand.

12 Before we go any further there's always a
13 question I like to ask and let's go ahead and get it
14 clarified now. Is it the intention of the parties to
15 provide opening statements?

16 **MS. WHITE:** BellSouth was not planning to.

17 **MR. SELF:** I had not planned on it. I mean,
18 we can do it if you think we ought to.

19 **COMMISSIONER DEASON:** I'm not soliciting it,
20 okay, but it seems like invariably every time we get
21 to the hearing, one party wants to give an opening
22 statement. One or more parties say, well, we weren't
23 prepared and then we don't have them. Because that's
24 my standing policy; unless it's openly discussed and
25 everyone knows and is prepared, there will be no

1 opening statement. I'm putting everyone on notice.
2 So if someone wants opening statements, they need to
3 put everyone on notice now and convince me that it's
4 necessary.

5 MR. SELF: Teleport will waive opening
6 statements.

7 COMMISSIONER DEASON: Very well.

8 MR. BOND: MCI would waive opening
9 statements.

10 MS. CANZANO: Same with Intermedia.

11 COMMISSIONER DEASON: Very well. Everyone
12 is on notice, then, as to what the rules of the game
13 are going to be.

14 Okay. Section 6, Basic Positions; any
15 changes or corrections to the positions as stated?

16 MR. BOND: MCI has no changes.

17 COMMISSIONER DEASON: Section 7, Issues and
18 Positions; Issue 1? (No response.)

19 Issue 2? (No response.)

20 Issue 3? (No response)

21 MR. BOND: MCI has no changes to Issue 3.

22 COMMISSIONER DEASON: Issue 4? (No
23 response.)

24 We'll proceed, then, to the Exhibit List.
25 Any changes or corrections to Section 8, the Exhibit

1 List?

2 MR. BOND: MCI has no changes or
3 corrections.

4 COMMISSIONER DEASON: Section 9, Proposed
5 Stipulations; there are no stipulations at this time.

6 And Section 10, Pending Motions; there is
7 one pending motion. Is that correct, Mr. Pellegrini?

8 MR. PELLEGRINI: Yes, that's correct,
9 Commissioner Deason. The response period has not
10 expired.

11 COMMISSIONER DEASON: When will that period
12 expire?

13 MR. PELLEGRINI: May 26.

14 COMMISSIONER DEASON: Let me ask the
15 parties, can we anticipate there will be responses
16 filed to this petition?

17 MS. WHITE: BellSouth will not be filing a
18 response because we support GTE's position.

19 MR. SELF: WorldCom will be filing in
20 response in opposition.

21 MR. ELLIS: Teleport will --

22 MR. BOND: MCI is still reviewing the
23 petition, but we will probably be filing a response.

24 COMMISSIONER DEASON: Ms. Canzano?

25 MS. CANZANO: Intermedia will be filing a

1 STATE OF FLORIDA)
2 COUNTY OF LEON)

CERTIFICATE OF REPORTER

3 I, H. RUTHE POTAMI, CSR, RPR, Official
4 Commission Reporter,

5 DO HEREBY CERTIFY that the Prehearing
6 Conference in Docket No. 971478-TP, 980184-TP was
7 heard by the Prehearing Officer at the time and place
8 herein stated; it is further

9 CERTIFIED that I stenographically reported
10 the said proceedings; that the same has been
11 transcribed under my direct supervision; and that this
12 transcript, consisting of 14 pages, constitutes a true
13 transcription of my notes of said proceedings

DATED this 13th day of May, 1998.

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