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December 17, 1998

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50 DEC 17 PM 2:37  
RECORDS AND REPORTING

Ms. Blanca S. Bayó  
Director, Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Complaint of MCImetro for enforcement of its  
Interconnection Agreement with Bellsouth -Docket No.  
981121-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of MCImetro Access Transmission  
Services, Inc. are the original and fifteen copies of:

- 1) rebuttal testimony of Ron Martinez
- 2) rebuttal testimony of Joseph Gillan
- 3) MCImetro's Prehearing Statement

By copy of this letter, these documents have been furnished  
to the parties on the attached service list.

ACK \_\_\_\_\_ RECEIVED & FILED  
AFA \_\_\_\_\_  
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WAS \_\_\_\_\_  
OTH \_\_\_\_\_

Very truly yours,

*Richard D. Melson*

Richard D. Melson

RDM/kcg  
Enclosures  
1 cc: Parties of Record

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Petition  
DOCUMENT NUMBER-DATE

DEC 17 1998

FPSC-RECORDS/REPORTING

Martinez  
Gillan  
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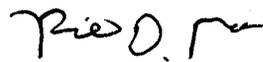
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following parties by Hand Delivery\* or U.S. Mail this 17th day of December, 1998.

\*Catherine Bedell  
Division of Communications  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Suite 335  
Tallahassee, FL 32399

\*Nancy B. White  
c/o Nancy Sims  
150 S. Monroe Street  
Tallahassee, FL 32301

Mary Keyer  
675 West Peachtree Street, #4300  
Atlanta, GA 30375



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Attorney

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration )  
 concerning complaint of MCImetro )  
 Access Transmission Services, LLC ) Docket No. 981121-TP  
 for enforcement of )  
 interconnection agreement with ) Filed: December 17, 1998  
 BellSouth Telecommunications, Inc. )

MCIMETRO'S PREHEARING STATEMENT

MCImetro Access Transmission Services, LLC (MCImetro) hereby files its prehearing statement in accordance with the requirements of Order No. PSC-98-1575-PCO-TP.

A. Appearances. Richard D. Melson, Hopping Green Sams & Smith, P.A., P.O. Box 6526, Tallahassee, FL 32314; Michael J. Henry and Dulaney L. O'Roark III, MCI Telecommunications Corporation, 780 Johnson Ferry Road, Atlanta, GA 30346, appearing on behalf of MCImetro Access Transmission Services, LLC.

B. Known Witnesses. MCImetro has prefiled the direct and rebuttal testimony of the following witnesses:

Ron Martinez	Issue 1
Joseph Gillan	Issue 1

C. Known Exhibits. MCImetro has prefiled the following exhibits:

Martinez	RM-1	Excerpts from Interconnection Agreement between MCImetro and BellSouth
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- RM-2 Excerpts from Order PSC-98-0810-FOF-TP
- RM-3 Letter dated 6/1/98 from Schmidt (MCIIm) to Lee (BST)
- RM-4 Letter dated 6/4/98 from Hendrix (BST) to Schmidt (MCIIm)
- RM-5 Letter dated 7/14/98 from Schmidt (MCIIm) to Hendrix (BST)
- RM-6 Letter dated 7/21/98 from Hendrix (BST) to Schmidt (MCIIm)
- RM-7 Letter dated 7/24/98 from Schmidt (MCIIm) to Hendrix (BST)
- RM-8 Letter dated 8/3/98 from Hendrix (BST) to Schmidt (MCIIm)
- RM-9 Letter dated 8/7/98 from LaPenta (MCIIm) to Hendrix (BST)
- RM-10 Excerpts from testimony of William Stacy in Docket No. 980281-TP
- RM-11 Excerpts from Order No. PSC-98-1484-FOF-TP

MCIIm reserves the right to use additional exhibits for purposes of cross-examination.

D. Basic Position. MCIImetro is entitled under its Interconnection Agreement with BellSouth to purchase a network element combination consisting of a DS1 local loop and DS1 dedicated transport at the sum of the price of the individual network elements. This combination of UNEs does not "recreate" any existing BellSouth retail service within the meaning of Order No. PSC-98-0810-FOF-TP.

F. Issues. MCImetro's position on the issue identified in the Order on Procedure is as follows:

Issue 1: Does the combination of unbundled network elements consisting of 4-wire DS1 loops and DS1 dedicated transport recreate an existing BellSouth retail service known as MegaLink? If not, what action, if any, should the Commission take?

MCImetro: No. The combination of DS1 loops and DS1 dedicated transport are used to connect business customers to MCImetro's local switch to enable MCImetro to provide a competitive local service. This combination does not recreate any existing BellSouth retail service within the meaning of Order No. PSC-98-0810-FOF-TP. BellSouth's claim that this combination recreates MegaLink is inconsistent with its prior position that a recreated service exists when an ALEC provides service to an end user using only facilities provided by BellSouth. The Commission should direct BellSouth to provide the requested UNE combination to MCImetro on a going-forward basis at a price equal to the sum of the prices for the individual network elements, and should order BellSouth to refund MCImetro all overcharges with respect to these types of facilities since November, 1997.

E. Stipulations. There are no stipulations between MCI and any party at this time. MCI's offers to BellSouth to stipulate to the facts -- which MCI believes are not in dispute -- and to dispose of this case through briefs and oral argument have been rejected by BellSouth.

F. Pending Motions. MCI has no pending motions at this time.

G. Requirements of Order on Procedure. MCI believes that this prehearing statement complies with all the requirements of the Order on Procedure.

RESPECTFULLY SUBMITTED this 17th day of December, 1998.

HOPPING GREEN SAMS & SMITH, P.A.

By: Richard D. Melson  
Richard D. Melson  
Post Office Box 6526  
123 South Calhoun Street  
Tallahassee, FL 32314  
904/222-7500

and

Michael J. Henry  
Dulaney L. O'Roark III  
MCI TELECOMMUNICATIONS CORPORATION  
780 Johnson Ferry Road, Ste. 700  
Atlanta, GA 30342

Attorneys for MCImetro

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*The O. P.*

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Attorney