McWhirter Reeves

ATTORNEYS AT LAW

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PLEASE REPLY TO: TALLAHASSEE

TALLAHASSEE OFFICE: 117 SOUTH GADSDEN TALLAHASSEE, FLORIDA 32301 (850) 222-2525 (850) 222-5606 FAX

RIGINAL

February 3, 1999

VIA HAND DELIVERY

Blanca S. Bayo, Director Florida Public Service Commission Division of Records and Reporting 2540 Shumard Oak Drive Gerald L. Gunter Building Tallahassee, Florida 32399-0850

> Re: Docket No. 990043-TP

Dear Ms. Bayo:

Enclosed for filing and distribution are the original and fifteen copies of the Florida Competitive Carriers Association's Petition to Intervene in the above docket.

Please acknowledge receipt of the above on the extra copy enclosed herein and return it to me. Thank you for your assistance.

Sincerely, ACK AFA APP Vicki Gordon Kaufman CAF VGK/pw CMU Enclosures CTR EAG LEG LIN OPC -RCH . SEC DOCUMENT NUMBER-DATE WAS 0 367 FEB-38 McWhirter, Reeves, McGlothlin, Davidson, Decker, Kaufman, Arnold & Steen, P.A.

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition to Review and to)	Docket No. 990043-TP
Cancel BellSouth Telecommunications,)	
Inc.'s Promotional Tariff (T-98-1783))	Filed: February 3, 1999
by Arrow Communications, Inc.)	
)	

THE FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S PETITION TO INTERVENE

The Florida Competitive Carriers Association (FCCA), through its undersigned counsel, files this Petition to Intervene in this docket. As grounds therefor, FCCA states:

The name and address of Petitioner is:

The Florida Competitive Carriers Association Post Office Box 10967 Tallahassee, Florida 32302

Copies of notices, pleadings and documents in this proceeding should be sent to:

Joseph A. McGlothlin Vicki Gordon Kaufman McWhirter, Reeves, McGlothlin, Davidson, Decker, Kaufman, Arnold & Steen, P.A. 117 South Gadsden Street Tallahassee, Florida 32301

- 3. The FCCA is a telecommunications industry organization whose primary purpose is to promote and foster competition in Florida. FCCA members provide telecommunications services in Florida in BellSouth Telecommunications, Inc.'s (BellSouth) service territory through various methods, including the resale of BellSouth services.
- 4. BellSouth has filed a promotional tariff called "3 Free." This tariff, if permitted to take effect, would allow BellSouth to target customers who have left BellSouth for a competitive carrier and attempt to recapture such customers by offering them 90 days free service in exchange for signing an 18-month contract with BellSouth. Arrow Communications, Inc.

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(Arrow) filed a petition to review and cancel the tariff. In this docket, the Commission will process Arrow's complaint and determine whether BellSouth's tariff offering is discriminatory, anticompetitive and constitutes predatory pricing.

5. FCCA members compete for customers with BellSouth in Florida. Their ability to retain customers who have chosen them over BellSouth will be detrimentally harmed if the proposed tariff is allowed to take effect. Therefore, FCCA's substantial interests will be affected by the Commission's decision on the "3 Free" tariff in this docket.

WHEREFORE, FCCA requests that its petition to intervene be granted and that it be accorded full party status in this case.

Joseph A. McGlothlin

Vicki Gordon Kaufman

McWhirter, Reeves, McGlothlin, Davidson, Decker, Arnold, Kaufman & Steen, P.A.

117 South Gadsden Street Tallahassee, Florida 32301

Telephone: (850) 222-2525

Attorneys for The Florida Competitive Carriers Association

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Florida Competitive Carriers Association's foregoing Petition to Intervene has been furnished by Hand Delivery (*) or United States Mail this 3rd day of February, 1999, to the following:

Martha Brown*
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Gunter Building, Room 390M
Tallahassee, Florida 32399-0850

David B. Erwin 127 Riversink Road Crawfordville, Florida 32327

Nancy B. White c/o Nancy H. Sims BellSouth Telecommunications, Inc. 150 South Monroe Street Suite 400 Tallahassee, Florida 32301-1556

Richard D. Melson Hopping Green Sams & Smith 123 South Calhoun Street Post Office Box 6526 Tallahassee, Florida 32314

Norman H. Horton, Jr. Messer, Caparello & Self 215 South Monroe Street, Suite 702 Post Office Box 1876 Tallahassee, Florida 32302-1876 Charles J. Rehwinkel Sprint-Florida, Incorporated 1313 Blairstone Road (32301) Post Office Box 2214 MS FLTLH00107 Tallahassee, Florida 32316

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David V. Dimlich Supra Telecommunications and Information Systems, Inc. 2620 S.W. 27th Avenue Miami, Florida 33133-3001

Willi Gordon Kaufman