# SWIDLER BERLIN SHEREFF FRIEDMAN, LLP ORIGINAL

3000 K Street, NW, Suite 300 Washington, DC 20007-5116 Telephone (202)424-7500 Facsimile (202) 424-7647 www.swidlaw.com

April 21, 1999

Kathleen L. Greenan Attorney Direct Dial (202) 945-6922 klgreenan@swidlaw.com

919 Third Avenue New York, NY 10022-9998 (212) 758-9500 fax (212) 758-9526

90000

NEW YORK OFFICE

990546

# VIA OVERNIGHT MAIL

Blanca S. Bayo Director, Division of Records & Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

### Re: IntraLATA Toll Dialing Parity Plan, Order No. PSC-95-0203

Dear Ms. Bayo:

Enclosed for filing with the Florida Public Service Commission ("Commission") is an original and fifteen copies of Network Plus, Inc.'s ("Network Plus") IntraLATA Presubscription Implementation Plan ("Plan"). Network Plus is submitting the Plan in order to comply with the Federal Communications Commission's March 23, 1999 Order directing local exchange carriers to file intraLATA presubscription implementation plans with the state regulatory commission for each state in which the LEC provides telephone exchange service.<sup>1</sup>

AFA APP CAF CMU CTR EAG MASC PRR SEC WAW OTH

Network Plus' Plan is consistent with the applicable requirements of Commission Order No. PSC-95-0203-FOF-TP, issued on February 13, 1995.<sup>2</sup> Network Plus has not received a bona fide request from an interexchange carrier and is therefore not required to implement intraLATA presubscription at this time.<sup>3</sup>

<sup>1</sup>Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98 (Mar. 23, 1999), at ¶ 7.

<sup>2</sup>IntralATA Presubscription, Docket No. 930330-TP, Order No. PSC-95-0203-FOF-TP, 160 P.U.R. 4th 41 (Feb. 13, 1995) ("PSC Order").

*Ad.* at 21, 28.

RECEIVED

DOCUMENT NUMBER-DATE

05174 APR 22 8

FPSC-RECORDS/REPORTING

April 21, 1999 Page 2

Please date-stamp the enclosed extra copy of this filing and return it in the self-addressed stamped envelope provided. If you have any questions regarding the enclosed Plan, please do not hesitate to contact me. Thank you for your attention to this matter.

Very truly yours,

ainen Aren

Kathleen L. Greenan

Counsel for Network Plus, Inc.

cc: Lisa Korner Andrew Isar

## NETWORK PLUS, INC. INTRALATA TOLL DIALING PARITY PLAN

## **INTRODUCTION**

In accordance with the August 8, 1996 Federal Communications Commission (FCC) Second Report and Order, Network Plus, Inc. ("Network Plus") submits its implementation plan for intraLATA presubscription.

While Network Plus intends to offer facilities-based service, it currently resells local exchange services. As a non-facilities-based provider of local exchange services, Network Plus relies upon its underlying carrier(s) for the provision of equal access to intraLATA and interLATA service providers. Network Plus will in no way restrict, or interfere with, subscribers' ability to access competitive providers of intraLATA or interLATA toll services pursuant to the policies implemented by Network Plus's underlying carrier(s).

#### POLICIES

Network Plus will in no way restrict, or interfere with, subscribers' ability to access competitive providers of intraLATA or interLATA toll services pursuant to the policies implemented by Network Plus's underlying carrier(s).

All eligible Network Plus end user telephone line numbers will be presubscribed and must have a PIC associated with them.

#### **CARRIER INFORMATION**

Interexchange carriers will have the option of offering intraLATA service only or intraLATA and interLATA service.

Interexchange carriers will have the option of participating in all market areas or in a specific market area.

Interexchange carriers will be required to return a completed Non-Disclosure Agreement and Participation Agreement(s).

Network Plus will not participate in billing disputes for intraLATA service between alternative competing interexchange carriers and their customers.

Network Plus representatives will not initiate or accept three-way calls from alternative interexchange carriers to discuss presubscription.

Carriers wishing to participate will be requested to submit Access Service Requests/Translation Questionnaires to the Access Tandem owner and to Network Plus.

## CALL ELIGIBILITY/TOLL DIALING PLAN

A local service customer of Network Plus will have calls routed according to the plan implemented by its underlying carrier(s).

## **NETWORK INFORMATION**

Interexchange carriers will be subject to such network specifications as shall be imposed by Network Plus' underlying carrier. Network Plus disclaims responsibility for any such specifications. Network Plus will not participate in disputes regarding any such network specifications between alternative competing interexchange carriers and Network Plus' underlying carrier(s).

All originating intraLATA traffic will initially be routed via the incumbent Local Exchange Carrier (LEC) Access Tandem(s).

# **CUSTOMER CONTACT INFORMATION**

No more than 30 days subsequent to approval of this Plan by the Commission, Network Plus will inform its subscriber base that they may select a participating carrier for the carriage of intraLATA toll traffic. A neutrally-worded billing insert will be used to effectuate this notice. New customers will be informed of their ability to select interLATA and intraLATA toll providers at the time they request service from a Network Plus representative.

Network Plus customer contact representatives will process customer initiated PIC selections to Network Plus or to an alternative intraLATA carrier. Carriers will have the option of allowing the Network Plus representative to process PIC requests on their behalf.

Network Plus will not ballot or allocate their customer base. At the time of conversion, all customers will be "PIC'd" to Network Plus unless another carrier is chosen by the particular customer.

Network Plus will accept as a bona fide PIC a selection of "NO PIC" as a choice. Network Plus will be relying upon its underlying carrier to ensure that "NO PIC" customers will have access code dialing capability to reach participating intraLATA carriers.

Network Plus customer contact representatives will not comment on a customer's choice of its intraLATA PIC when the customer contacts Network Plus to change the PIC. Network Plus customer contact representatives will respond to customer inquiries about intraLATA carriers in a competitively neutral fashion.

If the intraLATA toll carrier selected by the customer permits Network Plus to process orders on its behalf, Network Plus will accept the PIC change request.

Network Plus representatives will not discuss alternative carrier rates or services and will not provide customers with Carrier Identification Codes or access code dialing instructions.

Network Plus representatives will not discuss alternative carrier rates or services and will not provide customers with Carrier Identification Codes or access code dialing instructions.

#### **PRESUBSCRIPTION INFORMATION**

Network Plus will offer its customers a 90-day grace period following Plan implementation during which the customers may change intraLATA carriers without a PIC change charge. Customers can make multiple PIC changes during these 90 days at no charge.

New line customers, including customers adding lines, will have the opportunity to select a participating carrier, or they will be assigned a NO PIC designation. If a customer cannot decide upon an intraLATA carrier at the time of order, Network Plus may extend a 30-day period following placement of the customer's service order for the customer to select an intraLATA carrier without charge. Such a customer will be assigned a NO PIC designation in the interim. Customers assigned a NO PIC designation as set forth in this paragraph will be required to dial an access code to reach an intraLATA carrier's network.

If a Network Plus customer denies requesting a change in intraLATA toll providers as submitted by an intraLATA carrier, and the intraLATA carrier is unable to produce a Letter of Agency signed by the customer, the intraLATA carrier will be assessed a \$75.00 charge for the unauthorized PIC change and the PIC will be changed as per the customer's request, in addition to any charges assessed by the underlying carrier or other penalties authorized by law.

Alternative interexchange carriers may submit PIC changes to Network Plus via a fax/paper interface.

Network Plus will process intraLATA PIC selections in the same manner and under the same intervals of time as interLATA PIC changes.

Carriers will be required to submit PIC changes using the Customer Account Record Exchange (CARE) format via paper medium. Network Plus will provide carriers with PIC order confirmation and reject information using the CARE format. Specific details regarding CARE will be provided to participating carriers.

For customers who change their local service provider from the incumbent LEC to Network Plus and retain their incumbent LEC telephone number(s), Network Plus, as part of the CARE PIC process, will provide the selected intraLATA carrier with both the retained (incumbent LEC) telephone number and the Network Plus telephone number.

Dated: April 21, 1999