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RECORDS AND
REPORTING

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March 9, 2000

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

Re: Docket No. 991237-TP

Dear Mrs. Bayo:

Enclosed for filing in the above-referenced docket are an original and fifteen (15) copies of AT&T's Prehearing Statement.

Copies of the foregoing are being served on all parties of record in accordance with the attached Certificate of Service.

Thank you for your assistance with this matter.

Yours truly,

Tracy Hatch

- AFA _____
- APP _____
- CAF _____
- CML Celila _____
- CTR _____
- EAG _____
- LEG 1 _____
- MAS 3 _____
- OPC _____
- RRR _____
- SEC 1 _____
- WAW _____
- OTH _____

TH:cd
Enclosures

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FPSC BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

03099 MAR-98

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by AT&T Communications)
of the Southern States, Inc. d/b/a Connect 'N)
Save and d/b/a Lucky Dog and d/b/a ACC)
Business against BellSouth Telecommunications,)
Inc., regarding improper application of switched)
access charges.)
)
)
_____)

Docket No. 991237-TP

Filed: March 6, 2000

AT&T'S Prehearing Statement

AT&T Communications of the Southern States, Inc. (hereinafter "AT&T"), pursuant to Rule 25-22.038, Florida Administrative Code, and order of the Florida Public Service Commission (hereinafter the "Commission") hereby submits its Prehearing Statement in the above-referenced docket.

A. Witnesses

AT&T intends to sponsor the testimony of the following witnesses:

<u>Witnesses:</u>	<u>Issues:</u>
Richard Guepe	2, 3
Jerry J. Langin-Hooper	1, 2, 3

DOCUMENT NUMBER-DATE

03099 MAR-98

FPSC-REG/REGS/REPORTING

B. Exhibits

Witness: Richard Guepe

Exhibit: Title:

RTG-1 BellSouth Access Services Tariff

Witness: Jerry J. Langin-Hooper

Exhibit: Title:

JLH-1 Professional Qualifications

JLH-2 Estimated Overcharges of Intrastate Carrier
Common Line Charges to AT&T by BellSouth
In Florida

JLH-3 Charts Demonstrating the Interaction of AT&T
Calls with BellSouth's VIS Services

C. Basic Position : The Carrier Common Line (CCL) charge is a usage based rate element of the Switched Access Charge rate structure. The CCL charge was designed to recover the portion of the cost of enduser loops that was allocated for recovery to toll usage. Since the advent of switched access charges BellSouth has systematically been billing carrier common line (CCL) charges in conjunction with AT&T toll calls in instances where a common line was not used or multiple CCL charges where only one common line was used. The particular instances are when AT&T toll calls interact with the following services: call forwarding, call waiting, three-way calling, foreign exchange, voice messaging that utilize call forwarding, fax processing that utilize call forwarding, and routing to paging. Where an AT&T toll call interacts with these services BellSouth charges originating CCL charges, terminating or a CCL charges or both even though no use is made of a common line (customer's loop). In some instances AT&T is charged multiple CCL charges where for use of only a single common line. As a result, BellSouth has overcharged AT&T for CCL charges in the provision of switched access service. BellSouth's application of CCL charges is inappropriate, is in contravention of its access tariff, is in violation of Section 364.08, Florida Statutes, and is unfair and anticompetitive in violation of Section 364.01(4)(g), Florida Statutes. Accordingly, the Florida Public Service Commission should order BellSouth to refund all overcharged amounts attributable to the misapplication of the CCL charges and to order BellSouth to correct its application of the CCL charge and refrain from misapplying the CCL charge in all future switched access billings.

D.-F. Positions on the Issues

- Issue 1: (1) How does BellSouth apply the Carrier Common Line Charges (CCLC) to an AT&T transported toll call which involves interaction with any of the following BellSouth services:
- (a) call forwarding;
 - (b) call waiting;
 - (c) three-way calling;
 - (d) foreign exchange;
 - (e) voice messaging that utilize call forwarding;
 - (f) fax processing that utilize call forwarding; and
 - (g) routing to paging.

AT&T Position:

- (a) call forwarding – When an inbound AT&T toll call is intercepted at the terminating central office by the call forwarding feature, the call is not terminated to the dialed customers loop or common line. Instead, the call is forwarded to another entity designated by the called party. AT&T is billed terminating CCL charges even though the call is transported to another entity and called party's common line is not used. If the call is forwarded to an interLATA AT&T customer, AT&T is billed originating CCL charges even though the forwarded call did not at any time use the called party's common line.
- (b) call waiting - When an AT&T toll call is placed on hold in conjunction with the call waiting feature, the AT&T call is not using the called enduser's common line (loop). BellSouth continues to bill CCL charges for the time even while the AT&T toll call is not using the common line.
- (c) three-way calling – When a threeway call is made in conjunction with an AT&T toll call or calls, only one common line is being used. BellSouth bills CCL charges to each toll carrier even though only one common line is used.
- (d) foreign exchange – When an AT&T toll call is made to an FX customer the call is terminated to the central office at the open end and carrier via a dedecated line to FX customer's premises. BellSouth bills terminating CCL charges to AT&T even though no common line is used to carrier the call to the FX customer's premises. The dedicated FX line already recovers the full cost of that loop facility.

- (e) voice messaging that utilize call forwarding – When an AT&T toll call is forwarded to a voice messaging service, the called parties common line is not used. BellSouth bills CCL charges to AT&T even though the called party's common line is not used.
- (f) fax processing that utilize call forwarding - When an AT&T toll call is forwarded to a fax processing service that utilizes call forwarding, the called parties common line is not used. BellSouth bills CCL charges to AT&T even though the called party's common line is not used.
- (g) routing to paging – When an AT&T call is routed to a paging service, the call is transported to the wireless switch and sent to the pager through wireless technology. BellSouth, in some instances, still bills AT&T CCL charges even though no common line is used.

- Issue 2:
- (a) Is BellSouth's application of the CCLC to an AT&T transported toll call which involves interaction with any of the services provided by BellSouth identified in Issue 1 consistent with its access tariff and Section 364.08, Florida Statutes?
 - (b) If not, what action should the Commission take?

- AT&T Position:
- (a) No. BellSouth's application of CCL charges to AT&T toll calls which involve interaction with the services set forth in issue 1 is in contravention of its access tariff and in violation of Section 364.08, Florida Statutes.
 - (b) The Commission should order BellSouth to refund all amounts of CCL charges inappropriately collected and order BellSouth to cease inappropriately applying the CCL charge in the manner described in Issue 1.

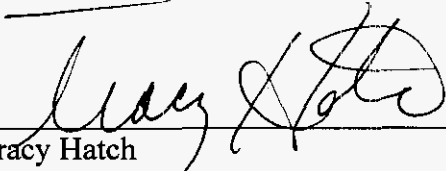
- Issue 3:
- (a) Are BellSouth's practices regarding the imposition of CCLC on an AT&T transported toll call which involves interaction with any of the services identified in Issue 1 unfair and anticompetitive in violation of Section 364.01(4)(g), Florida Statutes?
 - (b) If so, what action should the Commission take?

AT&T Position: (a) Yes. BellSouth's practices regarding the application of CCL charges on an AT&T transported toll call which involves interaction with any of the services identified in Issue 1 are unfair and anticompetitive in violation of Section 364.01(4)(g), Florida Statutes.

(b) BellSouth should be required to cease application of the CCL charges on an AT&T transported toll call which involves interaction with any of the services identified in Issue 1.

- G. Stipulated Issues There are no stipulated issues at this time.
- H. Pending Motions AT&T has no pending motions.
- I. Other Requirement There are no requirements with which AT&T can not comply.

SUBMITTED this 8th day of March, 2000.



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ATTORNEY FOR AT&T
COMMUNICATIONS OF THE
SOUTHERN STATES, INC.

CERTIFICATE OF SERVICE
DOCKET NO. 991237-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished
via U.S. Mail to the following parties of record on this 9th day of March, 2000:

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

Diana Caldwell
FPSC
2540 Shumard Oak Blvd.
Room 301D
Tallahassee, FL 32399-0850


ATTORNEY