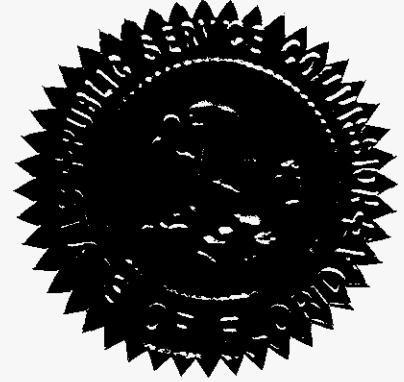


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Comcast Phone of Florida, LLC d/b/a Comcast Digital Phone for arbitration of an interconnection agreement with Quincy Telephone Company d/b/a TDS Telecom, pursuant to Section 252 of the Federal Communications Act of 1934, as amended, and Sections 120.57(1), 120.80(13), 364.012, 364.15, 364.16, and 364.162, F.S., and Rule 28-106.201, F.A.C.



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THE .PDF VERSION INCLUDES PREFILED TESTIMONY.

PROCEEDINGS: PREHEARING CONFERENCE
BEFORE: COMMISSIONER NANCY ARGENZIANO
DATE: June 18, 2009
TIME: Commenced at 9:31 a.m.
Concluded at 9:37 a.m.
PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida
REPORTED BY: MARY ALLEN NEEL
Registered Professional Reporter
Registered Florida Reporter

DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

1 APPEARANCES:

2 NORMAN H. HORTON, ESQUIRE, on behalf of FLOYD R.
3 SELF, Messer, Caparello & Self, P.A., P.O. Box 15579,
4 Tallahassee, Florida 32317, and MICHAEL C. SLOAN,
5 ESQUIRE, (via telephone), Davis Wright Tremaine LLP,
1919 Pennsylvania Avenue, Washington, D.C. 20006, on
behalf of COMCAST PHONE OF FLORIDA, LLC d/b/a COMCAST
DIGITAL PHONE.

6 J. JEFFRY WAHLEN, ESQUIRE, Ausley & McMullen,
7 P.O. Box 391, Tallahassee, Florida 32301, on behalf of
8 QUINCY TELEPHONE COMPANY, d/b/a TDS TELECOM/QUINCY
TELEPHONE (TDS).

9 TIMISHA J. BROOKS, ESQUIRE, and CHARLIE MURPHY,
10 ESQUIRE, Florida Public Service Commission, 2540 Shumard
Oak Boulevard, Tallahassee, Florida 32399-0850, on
behalf of the Florida Public Service Commission Staff.

11 MARY ANNE HELTON, ESQUIRE, Deputy General Counsel,
12 Florida Public Service Commission, 2540 Shumard Oak
Boulevard, Tallahassee, Florida 32399-0850, Advisor to
13 the Florida Public Service Commission.

P R O C E E D I N G S

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COMMISSIONER ARGENZIANO: Can everyone hear?
Okay. Then we're good to go.

First I would just like to say I apologize for not being there in person today. If you don't know, I've fractured a leg, and it's a pretty nasty fracture. It's the tibia, and I can't be there. So I apologize, but I'm here on the phone, and we will call this prehearing to order.

So, staff, would you please read the notice.

MS. BROOKS: Yes, Commissioner. Pursuant to notice filed on June 10, 2009, this time and place has been set for a prehearing conference in Docket No. 080731-TP, which is a petition filed by Comcast to arbitrate an interconnection agreement between itself and TDS.

COMMISSIONER ARGENZIANO: Let's move on and take appearances, please.

MR. SLOAN: This is Mike Sloan for Comcast of Florida.

COMMISSIONER ARGENZIANO: Okay. Next.

MR. HORTON: Commissioner, this is Norman H. Horton, Jr., appearing on behalf of Floyd R. Self of Messer, Caparello & Self, on behalf of Comcast.

MR. WAHLEN: Good morning, Commissioner. It's

1 Jeff Wahlen of the Ausley & McMullen law firm on
2 behalf of Quincy Telephone Company d/b/a TDS
3 Telecom.

4 MS. BROOKS: Commissioner, this is Timisha
5 Brooks and Charlie Murphy on behalf of Commission
6 Staff.

7 MS. HELTON: And finally, Commissioner, this
8 is Mary Anne Helton, advisor to the Commission.

9 COMMISSIONER ARGENZIANO: Great. Glad we're
10 all here today.

11 Are there any preliminary matters we need to
12 address before we get to the draft Prehearing Order
13 in this docket?

14 MS. BROOKS: Commissioner, there are none.

15 COMMISSIONER ARGENZIANO: From the parties?

16 MR. WAHLEN: No, ma'am.

17 MR. HORTON: No, ma'am.

18 COMMISSIONER ARGENZIANO: We'll move on to
19 the -- let's see. Excuse me one second, please.
20 My papers are all messed up.

21 Okay. I'm working from a copy provided from
22 June 16th. Are we all on the same version?

23 MS. BROOKS: Yes, Commissioner.

24 MR. SLOAN: I believe so.

25 COMMISSIONER ARGENZIANO: Okay. Instead of

1 going through the draft Prehearing Order section by
2 section, I would just ask that you mention any
3 changes or comments or corrections to any part.
4 And just holler up so I can hear you, because I
5 can't see you. And I'll start with Comcast and TDS
6 and then staff.

7 Mr. Horton, any comments or changes?

8 MR. HORTON: No, ma'am, we have no changes.

9 MR. SLOAN: This is Mike Sloan. I have one
10 question on page 4 in the section on the order of
11 witnesses. It says -- and I just noticed this this
12 morning. I apologize for not raising it earlier.

13 COMMISSIONER ARGENZIANO: No problem.

14 MR. SLOAN: It says that each witness whose
15 name is preceded by a plus sign will present direct
16 and rebuttal testimony. And there's a plus sign
17 next to Mr. Meredith's name, but not next to Beth
18 Choroser's name, and she will in fact be presenting
19 both direct and rebuttal testimony.

20 MS. BROOKS: Commissioner, it has been fixed
21 on the most recent draft, and there's a plus sign
22 next to both Ms. Choroser's name and Mr. Meredith's
23 name.

24 COMMISSIONER ARGENZIANO: Fantastic.

25 MR. SLOAN: Thank you.

1 MS. BROOKS: I apologize.

2 COMMISSIONER ARGENZIANO: Okay. Mr. Wahlen?

3 MR. WAHLEN: No changes. It's perfect as is.

4 COMMISSIONER ARGENZIANO: Oh, very good. I
5 like to hear that.

6 Staff, any comments or changes? Do I need to
7 make any rulings at this time?

8 MS. BROOKS: No, Commissioner.

9 There is one change, and that's on opening
10 statements. The parties have decided to reserve
11 five minutes for opening statements.

12 COMMISSIONER ARGENZIANO: Okay. Any comments
13 by anyone there?

14 MR. WAHLEN: No, ma'am. That was what
15 Mr. Horton and I talked about with Ms. Brooks
16 before the hearing. And we may not even do five
17 minutes, but we would like to just reserve five
18 minutes just in case.

19 COMMISSIONER ARGENZIANO: Sure. Okay. That's
20 very good. So we have the time limit addressed.

21 I know that the parties have been working to
22 resolve the issues in the docket. Has there been
23 any discussion regarding stipulation of witnesses,
24 and if so, are any stipulated?

25 MR. SLOAN: Jeff, you want to take that one?

1 MR. WAHLEN: Sure. Commissioner Argenziano,
2 this is Jeff Wahlen. We have talked about that. I
3 believe that we each have cross-examination for the
4 other's witnesses. We don't think it will be
5 extensive. I don't think this will take all day,
6 but we would like to go ahead and present the
7 witnesses live.

8 COMMISSIONER ARGENZIANO: Okay. Good.

9 On page 4 it indicates that witness Meredith
10 will present direct and rebuttal testimony
11 together. Is this correct, and does it apply to
12 witness Choroser also? Choroser, I'm sorry.

13 MR. HORTON: Yes, ma'am.

14 MR. SLOAN: I'll help you with the
15 pronunciation there. It's "Shore-o-say."

16 COMMISSIONER ARGENZIANO: Choroser. Is that
17 -- excuse my ignorance. Is it French?

18 MR. SLOAN: She says it's French.

19 COMMISSIONER ARGENZIANO: I've never been able
20 to pronounce French.

21 MR. SLOAN: Sure. It's "Shore-o-say,"
22 Choroser.

23 COMMISSIONER ARGENZIANO: Choroser. Okay.
24 Very good. Thank you.

25 Will it -- okay. Hang on. It will apply to

1 Choroser also.

2 Okay. Let's move on. Staff, do I need to
3 make a ruling regarding the time limits for opening
4 statements, or -- we have done that already. I
5 apologize. I'm going through this in a haphazard
6 way here.

7 Are there any other matters to address in the
8 docket?

9 MR. WAHLEN: Not from TDS at this time.

10 MR. HORTON: Nor from Comcast.

11 MS. BROOKS: There are none, Commissioner,
12 other than the significant dates.

13 COMMISSIONER ARGENZIANO: Okay. Well, then it
14 seems like we're all on the same page here. Is
15 there anything else, any other comments to be made?
16 Any other matters we need to address?

17 MR. WAHLEN: None from TDS. Thank you.

18 COMMISSIONER ARGENZIANO: Hearing none, the
19 prehearing is adjourned. Thank you.

20 (Proceedings concluded at 9:37 a.m.)

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CERTIFICATE OF REPORTER


STATE OF FLORIDA:

COUNTY OF LEON:

I, MARY ALLEN NEEL, Registered Professional Reporter, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 8 are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 24th day of June, 2009.


MARY ALLEN NEEL, RPR, FPR
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