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November 14, 1995

BY HAND DELIVERY

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

Re: Docket No. 950984-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of MCI Metro Access Transmission Services, Inc. (MCImetro) in the above referenced docket are the original and 15 copies of MCImetro's petition and supporting direct testimony of Don Price and Nina Cornell.

By copy of this letter this document has been provided to the parties on the attached service list.

Very truly yours,

Richard D. Melson

Richard D. Melson

RDM/cc
Enclosures
cc: Parties of Record

orig test x 5

67316.1

Cornell
testimony
DOCUMENT NUMBER-DATE

11299 NOV 14 95

FPSC-RECORDS/REPORTING

Price
testimony
DOCUMENT NUMBER-DATE

11298 NOV 14 95

FPSC-RECORDS/REPORTING

Petition
DOCUMENT NUMBER-DATE

11297 NOV 14 95

FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following by hand delivery (**) or next business day delivery by UPS (*) this 14th day of November, 1995.

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Reed D. M.

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EX-101

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution of Petition(s) to)
establish nondiscriminatory rates,)
terms and conditions for resale) Docket No. 950984-TP
involving local exchange companies)
and alternative local exchange companies) Filed: Nov. 14, 1995
pursuant to section 364.161, Florida)
Statutes)
_____)

PETITION OF MCIMETRO

MCI Metro Access Transmission Services, Inc. (MCImetro), pursuant to Rule 25-22.036, F.A.C., Sections 364.161 and 364.162, F.S., and the Order Establishing Procedure in this docket, hereby petitions the Commission to hold a proceeding under section 120.57(1), F.S. to establish nondiscriminatory rates, terms and conditions for the unbundling and resale of local loops between MCImetro and BellSouth Telecommunications, Inc. (BellSouth). As grounds therefor, MCImetro states:

1. The complete name and address of Petitioner is:

MCI Metro Access Transmission Services, Inc.
2250 Lakeside Boulevard
Richardson, TX 75082

2. All notices, pleadings, orders and other materials in this docket should be provided to:

Michael J. Henry
MCI Telecommunications Corp.
Suite 700
780 Johnson Ferry Road
Atlanta, GA 30346

Richard D. Melson
Hopping Green Sams & Smith
123 South Calhoun Street
P.O. Box 6526
Tallahassee, FL 32314

BACKGROUND

3. MCImetro filed a notice of intent to provide alternative local exchange telecommunications services with the

Commission on June 30, 1995. By Order No. PSC-95-1256-FOF-TX, issued October 11, 1995, the Commission acknowledged the filing and held that MCImetro will be authorized to provide alternative local exchange service beginning January 1, 1996.

4. On or about July 18, 1995, MCImetro initiated negotiations with BellSouth regarding the arrangements for local interconnection required for MCImetro to provide local exchange telecommunications service within BellSouth's territory and regarding the unbundled network features, functions and capabilities that MCImetro desires to purchase from BellSouth. Since that date, MCImetro has held numerous meetings with BellSouth representatives, in person and by telephone, in an effort to negotiate satisfactory arrangements for interconnection and unbundling.

5. As of this date, MCImetro has not reached formal agreement with BellSouth on any issues, although there are some issues on which the parties appear to be in general agreement and other issues that are still under discussion.

6. The two primary issues on which MCImetro and BellSouth have failed to reach agreement are the financial arrangements for local interconnection and the price, terms and conditions for the purchase of unbundled local loops. Under the provisions of Section 364.162, it appears that separate petitions are required for local interconnection and unbundling/resale issues. The petition in this docket therefore addresses the unbundling/resale issues. MCImetro's companion petition filed today in Docket No.

950985-TP addresses the issues regarding the financial and other arrangements necessary for local interconnection.

MCIMETRO'S SUBSTANTIAL INTERESTS

7. Economically viable provisions for the purchase of unbundled local loops are an essential prerequisite to MCImetro's ability to enter and operate in the local telecommunications market in Florida in areas where it does not have its own local loop facilities. MCImetro's substantial interests are therefore affected by the financial and other arrangements that are established for the purchase of unbundled local loops.

DISPUTED ISSUES OF FACT AND ULTIMATE FACTS ALLEGED

8. The disputed issues of fact in this proceeding are what financial arrangements and other terms and conditions should be established for the purchase of unbundled local loops by MCImetro from BellSouth. The following is a list of the arrangements that MCImetro believes are required and a summary of its position as to the appropriate terms and conditions for such arrangements.

a. Issue. What are the appropriate technical arrangements for the provision to MCImetro of unbundled local loops?

Facts Alleged. BellSouth should make unbundled local loops available for interconnection to MCImetro at each end office. At MCImetro's option, BellSouth should be required to provide loop concentration and/or loop transport to concentrate and multiplex traffic from each end office and transport it to a single point of interconnection (POI) within each local calling area. Such unbundling arrangements are technically feasible and

are necessary to achieve the same engineering efficiencies that BellSouth obtains in the operation of its local network.

b. Issue. What is the appropriate price for the provision to MCImetro of unbundled local loops and any associated concentration, multiplexing, and transport?

Facts Alleged. Unbundled local loops and any associated loop concentration and loop transport should be priced at BellSouth's direct economic cost (i.e. TSLRIC). BellSouth's existing private line service is not an acceptable substitute for unbundled loops.

BASIS FOR RELIEF

9. MCImetro is entitled to relief pursuant to Sections 364.161, 364.162, and 120.57, Florida Statutes, and Rule 25-22.036, Florida Administrative Code. Section 364.161 provides that upon request each local exchange telecommunications company shall unbundle all of its network features, functions and capabilities and offer them to any other telecommunications provider for resale to the extent technically and economically feasible. If the parties cannot satisfactorily negotiate any unbundling request within 60 days, sections 364.161 and 364.162 give either party the right to petition the Commission to establish nondiscriminatory rates, terms and conditions for unbundling and resale, provided that unbundled local loops shall not be required to be offered below cost. Those sections require the Commission, after hearing, to decide the issues within 120 days after the date of the petition.

WHEREFORE, MCImetro petitions the Commission to:

(a) Schedule a formal hearing pursuant to Section 120.57(1) on this petition; and

(b) After hearing, establish nondiscriminatory rates, terms and conditions for the provision of unbundled local loops and the associated loop concentration and loop transport by BellSouth to MCImetro as set forth in the body of this petition.

RESPECTFULLY SUBMITTED this 14th day of November, 1995.

HOPPING GREEN SAMS & SMITH, P.A.

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and

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Attorneys for MCI Metro Access
Transmission Services, Inc.

PROPOSED LIST OF ISSUES FOR THIS PROCEEDING

1. What are the appropriate technical arrangements for the provision by BellSouth to MCI metro of unbundled local loops?
2. What is the appropriate price for the provision by BellSouth to MCI metro of unbundled local loops and any associated concentration, multiplexing, and transport?

PROVISIONS THAT HAVE BEEN AGREED TO

No provisions have been agreed to relating to the provision and pricing of unbundled loops.

ISSUES THAT ARE UNRESOLVED

Issues 1 (technical arrangements) and Issue 2 (financial arrangements) are unresolved.