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June 1, 1998

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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. 980499-TP - Complaint Against BellSouth
Telecommunications, Inc.

Dear Ms. Bayó:

Enclosed for filing on behalf of MCImetro Access
Transmission Services, Inc. ("MCImetro"), in the above
referenced docket are the original and 15 copies of
MCImetro's Response to GTE Florida Incorporated's Petition
for Permission to Submit a Brief.

Copies have been furnished to parties of record as
indicated on the attached service list.

Very truly yours,



Richard D. Melson

RDM/clp
Enclosure
cc: Parties of Record

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of WorldCom)
Technologies, Inc., against) Docket No. 971478-TP
BellSouth Telecommunications, Inc.)
for breach of approved interconnection)
agreement by failure to pay)
compensation for certain local traffic)

In re: Complaint of Teleport)
Communications Group, Inc., against) Docket No. 980184-TP
BellSouth Telecommunications, Inc.)
for breach of approved interconnection)
agreement by failure to pay)
compensation for certain local traffic)

In re: Complaint of Intermedia)
Communications, Inc., against) Docket No. 980495-TP
BellSouth Telecommunications, Inc.)
for breach of approved interconnection)
agreement by failure to pay)
compensation for certain local traffic)

In re: Complaint of MCImetro Access)
Transmission Service, Inc., against) Docket No. 980499-TP
BellSouth Telecommunications, Inc.)
for breach of approved interconnection)
agreement by failure to pay)
compensation for certain local traffic) Filed: June 1, 1998

MCIMETRO'S RESPONSE TO
GTE FLORIDA INCORPORATED'S PETITION
FOR PERMISSION TO SUBMIT A BRIEF

COMES NOW MCImetro Access Transmission Service, Inc.

(MCImetro) and hereby responds to the Petition for Permission to
Submit a Brief filed by GTE Florida Incorporated (GTEFL) in this
matter.

GTEFL argues that it should be allowed to submit a brief in
this matter because, GTEFL claims, the issues in the case cannot

be resolved without the Commission addressing whether ISP traffic is local or interstate in nature. As an alternative to allowing it to submit a brief in this matter, GTEFL proposes that the Commission conduct a generic investigation to resolve this jurisdictional issue prior to deciding this matter.

Contrary to GTEFL's assertion, there is no need for the Commission to consider the generic jurisdictional nature of telephone calls to an ISP in order to resolve this matter. The issue in this case is whether the MCI/BellSouth Interconnection Agreement (the Agreement) requires BellSouth to compensate MCI for the termination of ISP traffic. While MCI and BellSouth agreed to compensate each other for the termination of "local traffic," they also agreed to a specific definition of "local traffic." The Agreement provides:

Local Traffic is defined as any telephone call that originates in one exchange and terminates in either the same exchange, or a corresponding Extended Area (EAS) exchange.

Attachment IV, Subsection 2.2.1.

The Agreement, therefore, specifically and unambiguously defines the term "local traffic." The term is defined, not by reference to the generic jurisdiction nature of the call, but by reference to the exchanges in which the call originates and terminates. Thus, the only relevant issue is whether traffic terminated to ISPs falls under the specific definition of local traffic contained in the Agreement, i.e., whether it "originates

in one exchange and terminates in either the same exchange, or a corresponding Extended Area (EAS) exchange."

For the reasons discussed above, this Commission should deny GTEFL's Petition for Permission to Submit a Brief in this matter.

RESPECTFULLY SUBMITTED this 1st day of June, 1998.

HOPPING GREEN SAMS & SMITH, P.A.

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and

Dulaney L. O'Roark III
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780 Johnson Ferry Road, Ste. 700
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following parties by *Hand Delivery or U.S. Mail this 1st day of May, 1998.

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