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ORIGINAL

October 30, 2002

BY HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

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OCT 30 PM 4:12
COMMISSION
CLERK

Re: Docket No. 011354-TP

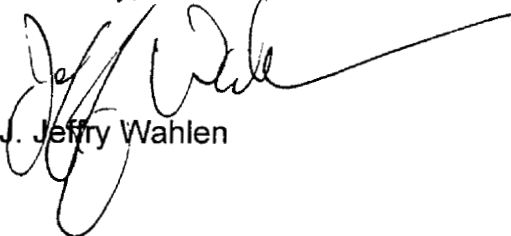
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of page 3 of the **public version** of the Rebuttal Testimony of Alfred Busbee. This page was inadvertently omitted from the testimony filed on October 21, 2002.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Sincerely,


J. Jeffrey Wahlen

Enclosures

cc: All parties of record

cc: T. Brown
31 original
ALL
ECR
CPL
CPC
MMS
SEC
OTH

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER DATE

11906 OCT 30 2002

FPSC-COMMISSION CLERK

1 IP/POI), Issue 3 (Definition of Local Calling Area for Recip Comp Purposes) and
2 Issue 4 (Availability of Virtual NXXs). Mr. Selwyn proffered no direct testimony
3 whatsoever regarding Issue 5 (Additional Contract Language regarding any Change in
4 Law as to ISP Bound Traffic) and Issue 6 (Additional Contract Language regarding
5 Seeking "Litigation Costs" and "Penalties"). Since Mr. Selwyn and GNAPs have
6 offered no evidence whatsoever regarding Issues 5 and 6, the Commission should
7 decide both these Issues in accord with ALLTEL's position as set forth in my direct
8 testimony; i.e., Busbee Direct, p. 28, ln. 5 - p. 29, ln. 11 regarding Issue 5 and Busbee
9 Direct, p. 29, ln. 13 - p. 30, ln. 9 regarding Issue 6.

10
11 **Q. Do you have any response to Mr. Selwyn's direct testimony regarding ALLTEL's**
12 **status as a "rural telephone company" under §251(f)(1) of the Act and**
13 **ALLTEL's status as a rural carrier with "fewer than 2 percent" of the nations**
14 **subscriber lines under §251(f)(2) of the Act? (Selwyn Direct, pp. 9 - 13).**

15 **A.** Yes. First, Mr. Selwyn provided no testimony or other evidence whatsoever which
16 challenges or refutes my testimony that ALLTEL is a "rural telephone company"
17 within the meaning of §251(f)(1) of the Act. ALLTEL meets the statutory definition
18 of a rural telephone company under 47 U.S.C. §153(37) in that such ILEC "has less
19 than 15% of its access lines in communities of more than 50,000 on the date of
20 enactment of the Act." In fact, none of ALLTEL's access lines serve communities of
21 more than 50,000 in Florida. As such, ALLTEL is exempt from having to comply
22 with certain interconnection obligations which otherwise may be applicable to ILECs
23 that are not rural telephone companies with respect to Issues 1 - 4, until and unless
24 GNAPs submits competent evidence to the Commission proving that GNAPs' requests
25 with respect to Issues 1 - 4 satisfy the three prerequisites of §251(f)(1) of the Act.

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