

PENNINGTON, MOORE, WILKINSON, BELL & DUNBAR, P.A.
ATTORNEYS AT LAW

SAMUEL P. BELL, III
DOUGLAS S. BELL
KAREN M. CAMECHIS
KEVIN X. CROWLEY
MARK K. DELEGAL
MARC W. DUNBAR
PETER M. DUNBAR
MARTHA J. EDENFIELD
ROGELIO J. FONTELA
WILLIAM H. HUGHES, III
A. KENNETH LEVINE

JOHN J. MATTHEWS
EDGAR M. MOORE
E. MURRAY MOORE, JR.
BRIAN A. NEWMAN
JULIUS F. PARKER III
JOHN C. PELHAM
CARL R. PENNINGTON, JR., P.A.
C. EDWIN RUDE, JR.
GARY A. SHIPMAN
CYNTHIA S. TUNNICLIFF

WILLIAM E. WHITNEY
BEN H. WILKINSON
CATHI C. WILKINSON

OF COUNSEL
ROBERT CINTRON, JR.
R. STUART HUFF, P.A.
Coral Gables, Florida
CHRISTOPHER W. KANAGA
(Admitted in Massachusetts & Colorado Only)
BARBARA J. STAROSE

215 SOUTH MONROE STREET
SECOND FLOOR
TALLAHASSEE, FLORIDA 32301

(850) 222-3533
FAX (850) 222-2126
E-Mail: karen@penningtonlawfirm.com

REPLY TO:
P.O. BOX 10095
TALLAHASSEE, FL 32302-2095

January 12, 2000

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Ms. Blanco Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

via Hand Delivery

Re: Petition of BellSouth Telecommunications, Inc. for Arbitration of the Interconnection Agreement Between Time Warner Telecom of Florida, L.P., pursuant to Section 252 (b) of the Telecommunications Act of 1996 -- Docket No. 991605 -TP

Dear Ms. Bayo:

Enclosed for filing please find an original and fifteen copies of Time Warner Telecom of Florida, L.P.'s Prehearing Statement for the above-referenced docket. You will also find a copy of this letter enclosed. Please date-stamp this copy to indicate that the original was filed and return a copy to me.

If you have any questions regarding this matter, please feel free to contact me. Thank you for your assistance in processing this filing.

Respectfully,

PENNINGTON, MOORE, WILKINSON,
BELL & DUNBAR, P.A.

Peter M. Dunbar
Peter M. Dunbar

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Enclosures

cc: All Parties of Record (w/ enclosure)

DOCUMENT NUMBER-DATE

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by BELLSOUTH)
TELECOMMUNICATIONS, INC.) DOCKET NO. 991605-TP
for Arbitration of the Interconnection) Filed: January 12, 2000
Agreement Between TIME WARNER)
TELECOM OF FLORIDA, L.P.,)
Pursuant to Section 252(b) of the)
Telecommunications Act of 1996.)

TIME WARNER TELECOM OF FLORIDA, L.P.'S
PREHEARING STATEMENT

TIME WARNER TELECOM OF FLORIDA, L.P. (Time Warner), pursuant to Order No. PSC-99-2366-PCO-TP, submits the following Prehearing Statement:

- A. **WITNESSES :** Time Warner has filed direct and rebuttal testimony of Don J. Wood, Regional Director, Klick, Kent, and Allen, Inc., and intends to call Mr. Wood to offer testimony on all issues.
- B. **EXHIBITS:** Mr. Wood is sponsoring Exhibit DJW-1, which is Mr. Wood's resume and list of appearances as an expert witness.
- C. **BASIC POSITION:** For purposes of reciprocal compensation, calls to ISP/ESPs are to be treated as local traffic.
- D. **ISSUES AND POSITIONS:**

Issue: What should be the appropriate definition of "local traffic" for purposes of the parties' reciprocal compensation obligations under Section 251(b)(5) of the 1996 Act?

Time Warner's Position: For purposes of reciprocal compensation, calls to ISP/ESPs are to be treated as local traffic.

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- D. DISPUTED QUESTIONS OF FACT:** Time Warner is not aware of any disputed issues of material fact.
- E. DISPUTED QUESTIONS OF LAW:** The disputed question of law is the whether calls to ISPs should be included in the definition of “local traffic” for purposes of the parties’ reciprocal compensation obligations under Section 251(b)(5) of the 1996 Act. Time Warner’s position is that such calls should be included in the definition of “local traffic” and subject to reciprocal compensation.
- F. POLICY QUESTIONS AT ISSUE:** The policy question is whether the Commission should adopt a position in this docket which is consistent with the positions adopted by the Commission in the ICG Telecom/ BellSouth and MediaOne/BellSouth arbitrations, to wit: that the parties should continue to operate under their existing Interconnection Agreements for purposes of reciprocal compensation for ISP-bound traffic. Time Warner’s position is that the Commission should adopt a consistent position in this docket, which will require BellSouth to pay Time Warner reciprocal compensation in accordance with the existing Time Warner/BellSouth Interconnection Agreement.
- G. STIPULATIONS:** Time Warner is not aware of any pending stipulations at this time.
- H. PENDING MOTIONS OR OTHER MATTERS:** On January 12, 2000, Time Warner filed Time Warner Telecom of Florida, L.P.’s Motion for Summary Order, which remains pending. Time Warner is not aware of any other pending motions or other matters at this time.

I. REQUIREMENTS THAT TIME WARNER COULD NOT COMPLY WITH: Time Warner is unaware of any requirement in the Order Establishing Procedure with which Time Warner cannot comply.

RESPECTFULLY SUBMITTED this 12th day of January 2000.



PETER M. DUNBAR, ESQ.

Florida Bar No. 146594

KAREN M. CAMECHIS, ESQ.

Florida Bar No. 0898104

**PENNINGTON, MOORE, WILKINSON,
BELL & DUNBAR, P.A.**

Post Office Box 10095 (32302)

215 S. Monroe Street, 2nd Floor

Tallahassee, Florida 32301

(850) 222-3533

(850) 222-2126 (facsimile)

Counsel for Time Warner Telecom
of Florida, L.P.

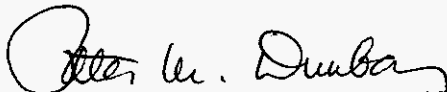
CERTIFICATE OF SERVICE
DOCKET NO. 991605-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served
by U.S. Mail on this 12th day of January, 2000, to the following parties of record:

BellSouth Telecommunications, Inc.
Ms. Nancy H. Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301-1556
Phone: (850) 224-7798
Fax: 222-8640

Florida Cable Telecommunications Assoc., Inc.
Michael A. Gross
310 N. Monroe St.
Tallahassee, FL 32301
Phone: 850-681-1990
Fax: 681-9676
EMail: mgross@fcta.com

Time Warner Telecom of Florida, L.P.
Ms. Carolyn Marek
% Time Warner Telecom
233 Bramerton Court
Franklin, TN 37069
Phone: (615) 376-6404
Fax: (615) 376-6405
EMail: carolyn.marek@twtelecom.com
Represented by: Pennington Law Firm



PETER M. DUNBAR, ESQ.