

ORIGINAL



Beverly Y. Menard
Regulatory & Governmental Affairs
Assistant Vice President (Florida/Georgia)

GTE Service Corporation

One Tampa City Center
Post Office Box 110, FLTC0616
Tampa, Florida 33601-0110
813-483-2526
813-223-4888 (Facsimile)

July 7, 2000

RECEIVED-FPSC
00 JUL -7 PM 1:16
RECORDS AND
REPORTING

Blanca S. Bayo
Director - Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

Dear Ms. Bayo:

Subject: Alternative Dispute Resolution Mediation Process GTE -Florida

In connection with the merger between Bell Atlantic Corporation and GTE Corporation, the two companies agreed to various conditions required by the Federal Communications Commission. Paragraph 40 of the "Conditions for Bell Atlantic/GTE Merger" requires GTE to offer a specific alternative dispute resolution ("ADR") mediation process to unaffiliated local exchange telecommunications carriers (CLECs/resellers) for the next three years. The ADR mediation process will facilitate resolution of "carrier-to-carrier disputes regarding the provision of local services, including disputes related to existing and effective interconnection agreements." Additional details and requirements of this ADR mediation process are contained in Attachment F to the Conditions document (see attachment). By this letter GTE Florida Incorporated is notifying the Florida Public Service Commission of the method it proposes to use to comply with this ADR merger condition. Note that any carrier dispute resolution processes contained in existing CLEC/reseller interconnection agreements and Florida Public Service Commission rules, if appropriate, will continue to be available to CLECs/resellers. The ADR mediation process described in the attached is intended to provide an additional alternative to the dispute resolution processes that currently exist in interconnection agreements or in Commission rules.

- APP Smith
- CAF _____
- CMP Simmons
- COM _____
- CTR _____
- ECR _____
- LEG B. Keating
- OPC _____
- PAI _____
- RG0 _____
- SEC J
- SER _____
- OTH _____

RECEIVED & FILED
Max
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

08243 JUL-78

FPSC-RECORDS/REPORTING

Ms. Blanca S. Bayo
July 7, 2000
Page 2

Subject: Alternative Dispute Resolution Mediation Process □ GTE -Florida

GTE Florida Incorporated will offer the new, alternative dispute resolution process to all CLECs/resellers by posting its availability and the specific ADR procedures contained in Attachment F on our CLEC/reseller web site. All CLECs/resellers will be notified by July 17, 2000 that this new ADR process is available to them and will be directed to the GTE CLEC's Support Web Site (<http://128.11.40.241/master.htm>) for details. The CLEC's Support Web Site is a CLEC/reseller's guide for all merger condition offers, standard product and service offers, and business methods and procedures.

Beginning July 17, 2000, if a CLEC/reseller wishes to invoke the new ADR mediation process to resolve a dispute, the CLEC/reseller is required, pursuant to the procedures outlined in Attachment F, to submit to the Florida Public Service Commission a written request for mediation, at which time the Florida Public Service Commission may choose whether or not to participate. If the Commission chooses not to participate in a specific request for mediation, the parties may mutually agree to use another third party to fill the role of the mediator.

Should you wish to discuss the contents of this letter in greater detail, please do not hesitate to call me at 813-483-2526.

Very truly yours,

Beverly Y. Menard

Beverly Y. Menard
Regulatory & Governmental Affairs
Assistant Vice President (Florida/Georgia)

BYM:wjh
Attachment

ATTACHMENT F

ALTERNATIVE DISPUTE MEDIATION

Bell Atlantic/GTE shall implement in the Bell Atlantic and GTE States a voluntary alternative dispute mediation process to resolve local service carrier-to-carrier disputes, including disputes related to interconnection agreements, as follows:

If resolution is not attained upon completion of the dispute resolution process contained in a state commission-approved interconnection agreement, or if the dispute is not subject to resolution under an interconnection agreement, Bell Atlantic/GTE shall, at the option of the other party or parties to the dispute, participate in a mediation process as follows:

a. If a party voluntarily chooses to invoke these mediation procedures, it shall submit a written request for mediation to the appropriate state commission, with a copy to Bell Atlantic/GTE and any other party or parties involved in the dispute. State commissions shall not be required to implement this process or to mediate disputes under the mediation provisions of this Attachment.

b. The written request shall include a statement as to whether the dispute affects service or is otherwise exceptionally time-sensitive. If the dispute affects service or is otherwise exceptionally time-sensitive, the written request shall set forth time requirements for resolution, and the time frames stated herein shall be shortened by agreement of the parties to accommodate the requested time requirements, which may not be less than 3 business days.

c. Bell Atlantic/GTE shall attempt to resolve issues affecting multiple CLECs in the same State through consolidated mediations.

d. The parties to the dispute shall each have a person or persons of authority at the dispute resolution table such that a reasonable resolution could be agreed to at the table. In the event the representative(s) of a party come without the authority to agree to a particular item, that party shall commit to provide a response within no more than 2 business days.

e. Any information shared with another party or parties prior to a mediation session shall be faxed to the other party or parties to the dispute at least 24 hours prior to the next mediation session. A copy shall also be provided to the staff of the appropriate state commission.

f. Bell Atlantic/GTE shall have one contact person for all contacts related to a given dispute.

g. Bell Atlantic/GTE shall attend a face-to-face meeting with the disputing party or parties and the staff of the appropriate state commission within one week of the request for mediation. In the event it is not possible to resolve the issue in one session, the parties to the dispute shall agree to a meeting schedule and have all relevant decision makers meet with the other party or parties during the scheduled times.

h. Bell Atlantic/GTE agrees that service to end-user customers shall not be disrupted or otherwise affected by the pendency of a mediation proceeding.

i. Bell Atlantic/GTE shall prohibit their regulatory, legal, and/or wholesale personnel from disclosing to their retail staff information regarding customers identified during the mediation process concerning the dispute being mediated. If necessary, Bell Atlantic/GTE regulatory, legal, and/or wholesale personnel may contact the customer regarding service or billing-related issues after they have first notified the opposing party or parties in mediation to

discuss the need for such contact and to give such party or parties the opportunity to participate in such contact.

j. Bell Atlantic/GTE shall reduce each resolved issue to writing within 5 business days of the resolution. One of the other parties may also agree to reduce the agreement to writing. All subsequent responses/replies shall be due within 3 business days. If the parties have not reduced the resolved issue to an agreed-upon writing within 14 calendar days of the issue's resolution, they shall notify the staff of the appropriate state commission within 5 business days, and any party may request to resume the mediation. Written resolutions of the issues, once agreed upon by the parties, shall be binding upon the parties; a copy of each agreement shall be submitted to the staff of the appropriate state commission upon execution. If an agreement reached requires an amendment or addendum to a previously approved interconnection agreement, Bell Atlantic/GTE shall file the amendment or addendum for approval by the appropriate state commission within 14 calendar days of reaching the written agreement.

k. Communications during the mediation process shall be confidential. Bell Atlantic/GTE shall facilitate the confidentiality of the mediation process, including execution of a reasonable mediation agreement (provided that the other mediating party also agrees to do so as a condition to participating in the mediation process).

Once issues are resolved by the parties, should another telecommunications carrier in the same State request resolution of the same issue(s), with substantially similar factual circumstances and terms, and with conditions and other contract provisions that are not materially different, Bell Atlantic/GTE shall make the arrangements arrived at through a prior mediation process available to that telecommunications carrier.

Should the appropriate state commission choose not to participate in the mediation process, the parties may mutually agree that a party (not a party to the dispute) may fill the role of the state commission and its staff in the mediation process.