#### Case Assignment and Scheduling Record

Section 1 - Division of Records and Repo g (RAR) Completes

PSC/RAR-15 (Rev. 1/96)

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Referred to: ("()" indicates	OPR)	ADM	AFA	APP	CAF	(CMU)	EAG	GCL	LEG X	RAR	RRR	WAW		
Section 2 - OPR	Completes and retu	rns to R	AR in 1	0 workd	lays.				Tim	e Sched	lule			
Program/Module	A19			1										
	Staff Assignm	ents		FO	R UPD	ATES		ACT TH					(904)	O REVISION 413-6770 Dates
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Staff Counsel				3								_ !		
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OCRs ( )														
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Recommended ass	ignments for hearing	a										_		
and/or deciding		-		32								_		
Full Commission		on Panel		34.										
Hearing Examin	ner Staff											_		
Date filed with	RAR:			37								_		
Initials: OPR Staff	f Counsel			39										
Section 3 - Cha:	irman Completes						W102					-		
			-	Assignm	ents ar	ce as fo	ollows:							
g======	- Hearing Of	ficer(s)			_				- Preh	earing	Officer		nocii	MENT NO.
	Commissioners		Hrg.	Staff					Commi	ssioner	's	ADM	1	100
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	e assigned the seni		ssioner	is Pan	∟ el Chai	.rman;							13	953-04
_	anel decides the cassioner, a Hearing		or a St	caff Me	mber is	3	•	Appro	oved:				1	1000
	ll Commission decid							Date:		/				

\* COMPLETED EVENTS

#### Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 960833-TP

Company: AT&T Communications of the Southern States, Inc. (

BellSouth Telecommunications, Inc.

Date Docketed: 07/16/1996 Title: Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996.

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Referred to: ("()" indicates	OPR)		ADM	AFA ——	APP	CAF	(CMU)			LEG X		RRR	WAW		
Section 2 - OPR	Complete	s and retur	ns to	RAR in	10 work	days.				Tim	ne Sched	<u>lule</u>			erikiri indirektera kipanyanik <del>ere erik</del> en eting man
Program/Module	A19				1										
OPR Staff	M Reith,	ff Assignme	Greer		FOR	UPDATE	IS SCHEDI	CT THE	RECORDS	VE AND SECTION	SUBJECT ON: (904	TO REV	71S1ON 5770		<u>Dates</u>
Staff Counsel		, A Shelfer			2. 3.	Notice Prehear	Identifi of Preh	earing tements						NONE NONE NONE NONE	07/31/1996 09/04/1996 09/20/1996 10/02/1996 10/03/1996
OCRs ( )					6. 7. 8. 9.	Hearing Transci Briefs Staff I Agenda	10/9-1 ripts Du Due Recommen - Regul	1/96 e - Hea dation ar	ring					NONE NONE NONE NONE NONE	10/09/1996 10/14/1996 10/22/1996 11/14/1996 11/26/1996
( )					11. 12. 13. 14. 15. 16.	Standar	rd Order							NONE	12/16/1996
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( )					26. 27. 28. 29.										
Recommended ass and/or deciding			9		31.								_  -		
Full Commissi Hearing Exami		Commission Staff	on Pane	el	34.								_  -		
Date filed with	RAR: <u>07/</u>	24/1996			37.										
Initials: OPR Staf	f Counsel				39. 40.										

- Hearing Officer(s)

	Comm	Hrg. Exam.	Staff				
ALL	CL	DS	JN	KS	GR	LXaiii.	
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Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

- Prehearing Officer

	Commi		ADM		
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Approved:	Sch	

Date: 07/24/1996

g (RAR) Completes

Docket No. 96  Company: AT&T  Bell		catio	ns of	the So	ed: <u>07/</u> uthern Si Inc.			for a propo conce	rbitrat sed agr erning i	ion of	certai with B nectio	n terr ellSou n and	ns an uth T resa	d con	dition mmunic	s of a	
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Referred to: ("()" indicate	s OPR)			ADM	AFA	APP	CAF	(CMU)	EAG	GCL	LEG X	RAF	2	RRR	WAW		
Section 2 - OP	R Comple	tes a	nd re	turns t	o RAR in	10 work	days.					me Sch	nedul	<u>e</u>			
Program/Module	A19																
	<u>s</u>	taff	Assig	nments		FOR		S CONTA	CT THE	TENTATI\ RECORDS el						Due	Dates
OPR Staff				, S Gre				0								Previous	
						2.	Testimo	ny - Re	buttal	(FCC Or						NONE NONE	08/23/1996 08/30/1996
Staff Counsel	D Canz	ano, I	M Bil	lmeier		4.	Prehear	ing Sta	earing tements	and Hear	ring				_  _	NONE NONE	09/04/1996 09/20/1996
OCRs ( )						6.	Prehear Transcr	ing ipts Du	e - Pre	hearing						NONE NONE	10/03/1996 10/03/1996
						8.	Hearing Transcr	10/9-1 ipts Du	1/96	ring						NONE	10/09/1996 10/14/1996
						9.	Briefs [	Due							1	NONE NONE	10/22/1996 11/14/1996
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and/or decidin	g this c	ase:				32.											
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Date filed wit	h RAR: <u>0</u>	7/24/	1996			37.		******							-	-	-
Initials: OPR	ff Couns	el –				39.											
Section 3 - Cha	airman C	omple:	tes														
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Where panels a	re assign	ned th	ne ser	nior Cor	nmissione	r is Par	nel Chai	rman;				4	10	4	-		

PSC/RAR-15 (Rev. 1/96)

the identical panel decides the case.

assigned the full Commission decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is

Section 1 - Division of Records and Report

Date: <u>08/16/1996</u>

#### Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. <u>960833-TP</u>

Company: AT&T Communications of the Southern States, Inc. (

BellSouth Telecommunications, Inc.

Date Docketed: 07/16/1996 Title: Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996.

Official Filing Last Day to Sus		Ex	piratio	n: _		-							
Referred to: ("()" indicates	OPR)	ADM	AFA	APP	CAF	(CMU)	EAG	GCL	LEG X	RAR	RRR	WAW	
Section 2 - OPR	Completes and	returns to F	RAR in	10 work	days.				Tim	e Sched	<u>ule</u>		
Program/Module	A20(b)					S SCHED					DOCUMEN	т.	
OPR Staff	Staff Ass R Norton, S Gr A Shelfer, M S W Stavanja	eer, J Griss Girianni,		FOR U	PDATES	CONTACT SR revis	THE RE	CORDS S			413-677	<u>Du</u>	e <u>Dates</u> us Current
Staff Counsel	M Barone, C Pe			2. 3. 4. 5. 6. 7.	Staff R Special Standar Revised	Recommend Recommend Agenda nd Order H CASR Du	dation	- Recon	siderat				02/18/1997 02/18/1997 02/21/1997 03/13/1997 04/13/1997
( )				9. 10. 11. 12.									
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( )	H CHANGE STREET, STREE			26. 27. 28. 29.									
Recommended assi and/or deciding	this case:	aring		31.							_		
Full Commission Hearing Examir Date filed with	ner Staf		_	34. 35. 36.									
Initials: OPR	Counsel			38.									
Section 3 - Chai	rman Completes			Assign	nents a	ire as fo	ollows:						

#### - Hearing Officer(s)

	Comm	ission	ners			Hrg. Exam.	Staff
ALL	CL	DS	GR	JN	KS	LXdiii.	
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Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

- Prehearing Officer

	Commi	ission	ners		ADM
CL	DS	GR	JN	KS	
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Date: 02/18/1997

Section 1 - Division of Records and

cing (RAR) Completes

Docket No.	960833-TP
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Company: AT&T Communications of the Southern States, Inc. (

BellSouth Telecommunications, Inc.

Date Docketed: 07/16/1996 Title: Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996.

Official Filing Last Day to Sus			Ex	piratio	n: _										
Referred to: ("()" indicates	OPR)		ADM	AFA	APP	CAF	(CMU)	EAG	GCL	LEG X	RAR	RRR	WAW		
Section 2 - OPR	Completes	and return	ns to I	RAR in	10 work	days.				Tim	e Sched	<u>dule</u>			-
Program/Module	A20(b)						S SCHED					DOCUMEN	<u>T.</u>		
	Staff	Assignmen	<u>nts</u>		FOR U	PDATES	CONTACT R revis	THE RE	CORDS S			413-677	0	Due	Dates
OPR Staff	S Greer, R W Stavanja						2							Previous	
					3.	Revised	ellSouth I CASR D	ue						NONE	06/10/1997 06/24/1997
Staff Counsel OCRs ( )	M Barone, (	C Pellegri			5.								_  -		
					7. 8. 9.										
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Recommended ass and/or deciding		r hearing			30. 31. 32.										
Full Commissi Hearing Exami	on X C	Commissior Staff	Pane		34. 35. 36.										
Date filed with	RAR: 06/02/	/1997			37. 38.										
Initials: OPR Staf	f Counsel _				39.										
Section 3 - Cha	irman Comple	etes			Assign	ments a	re as fo	ollows:							
	- Hea	aring Offi	cer(s)	)						- Preh	earing	Officer			

	Comm	ission	ners			Hrg. Exam.	Staff
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Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

	Comm	ission	ners		ADM
CL	DS	GR	JN	KS	
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Approved	:
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Date: 06/02/1997



#### Case Assignment and Scheduling Record

#### Section 1 - Division of Records and Repc c ng (RAR) Completes Date Docketed: 07/16/1996 Title: Petition by AT&T Communications of the Southern States, Inc. Docket No. 960833-TP for arbitration of certain terms and conditions of a Company: AT&T Communications of the Southern States, Inc. ( proposed agreement with BellSouth Telecommunications, Inc. BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996. Official Filing Date: Last Day to Suspend: Expiration: (CMU) Referred to: ADM AFA CAF EAG GCL LEG RAR RRR WAW ("()" indicates OPR) \_X \_X\_ Section 2 - OPR Completes and returns to RAR in 10 workdays. Time Schedule Program/Module A20(b) WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770 Staff Assignments Current CASR revision level Due Dates OPR Staff S Greer, R Norton, M Sirianni, W Stavanja 3 Previous Current 1. Testimony - BST Direct NONE 11/10/1997 2. Testimony - Intervenor Direct NONE 11/25/1997 3. Testimony - Rebuttal All NONE 12/09/1997 M Barone, C Pellegrini Staff Counsel 4. Prehearing Statements 12/09/1997 NONE Notice of Prehearing NONE 01/07/1998 01/12/1998 OCRs ( Notice of Hearing NONE Prehearing 7. NONE 01/14/1998 8. Prehearing Transcripts Due NONE 01/22/1998 9. Hearing 1/26-27/97 01/26/1998 NONE 10. Hearing Transcripts Due NONE 02/10/1998 02/17/1998 ( ) 11. Briefs Due NONE 12. Staff Recommendation 03/26/1998 NONE 13. Agenda - Regular NONE 04/07/1998 14. Standard Order 04/27/1998 NONE 15 ) 16. 17. 18 19. 20. ) 21. 22. 23. 25. ) 26. 27. 28. 29. Recommended assignments for hearing 31. and/or deciding this case: 32. 33. Full Commission X Hearing Examiner \_\_\_ Commission Panel 34. Staff 35. 36. Date filed with RAR: 08/19/1997 37 38. 39. Staff Counsel 40. CSRA Section 3 - Chairman Completes Assignments are as follows: - Hearing Officer(s) - Prehearing Officer Commissioners Hrg. Staff Commissioners ADM Exam. ALL JN DS CL KS GR JN DS CL KS GR Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Approved: Where one Commissioner, a Hearing Examiner or a Staff Member is

PSC/RAR-15 (Rev. 7/97)

assigned the full Commission decides the case.

\* COMPLETED EVENTS

Date: 08/20/1997

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#### Case Assignment and Scheduling Record

#### Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 960833-TP

Company: AT&T Communications of the Southern States, Inc. (

BellSouth Telecommunications, Inc.

Date Docketed: 07/16/1996 Title: Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the

Telecommunications Act of 1996.

Official Filing Last Day to Sus					Exp	oiration	:											
Referred to: ("()" indicates	OPR)			A	D <b>M</b>	AFA	APP	CAF		EAG	GCL	LEG X		R —	RRR	WAW		
Section 2 - OPR	Comple	tes a	nd ret	urns	to R	AR in 1	0 workda	ays.				Ţ	ime Sc	hedul	<u>e</u>			
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Staff Counsel	M Baro		Pelle				2. <u>Te</u> 3. <u>Te</u>	estimo estimo	ony - BS ony - In ony - Rel ing Sta	terveno outtal	r Dire All	ct					SAME SAME SAME SAME	11/10/1997 11/25/1997 12/09/1997 12/09/1997
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Date filed with Initials: OPR			1997				37 38 39											
Section 3 - Char	f Counse irman Co		tes				eisse	ul	to	add	319	da	x 20	he	arır	~		CSRA
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Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approv	ed: _	Sq	8/m	/	
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Date:	10/15	/1997			

#### Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. <u>960833-TP</u>

Company: AT&T Communications of the Southern States, Inc. (

BellSouth Telecommunications, Inc.

Date Docketed: 07/16/1996 Title: Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996.

Official Filing Last Day to Sus					Exp	iration	: _		_								
Referred to: ("()" indicates	OPR)			A	DM	AFA	APP	CAF	(CMU)	EAG	GCL	LEG X	RA	R	RRR	WAW	
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	***************************************						3.	Testimo	ony - Re	buttal	All					SAME	12/09/1997
Staff Counsel	M Baro	ne, C	Pell	egrini	i		4.	Prehear Notice	ring Sta of Preh	earing	and Hea	ring				SAME SAME	12/09/1997 01/07/1998
OCRs ( )							6.	Prehear	ring							SAME	01/14/1998
							8.	Hearing	ring Tra 1/26-2	8/97			-			SAME SAME	01/22/1998 01/26/1998
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Initials: OPR Staf	f Couns	el –					39.										
Section 3 - Cha	irman C	omple	tes									95C	-97	7-17	308	PCO-TI	P
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		- Hea	ring	Office	er(s)							- Pre	heari	ng Of	ficer		
	Comm	issio	ners			Hrg.	Staf	f				Comm	ission	ners		ADM	
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Where panels are					Commis	sioner	is Pa	nel Cha	airman;		Appro	oved:		Ø	141.	n	

PSC/RAR-15 (Rev. 7/97)

Where one Commissioner, a Hearing Examiner or a Staff Member is

assigned the full Commission decides the case.

Date: 10/27/1997

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## Case Scheduling/Rescheduling Advice

To:

Ddx	Commissioner Deason
Х	Commissioner Clark
Х	Commissioner Kiesling
Х	Commissioner Garcia
Х	Executive Director
X	Public Information Office

Deputy Ex. Director/Technical

Appeals Director X Legal Director X

Auditing & Financial Analysis Director X

Communications Director Consumer Affairs Director

Electric & Gas Director X

Records & Reporting Director

Research Director X

Water & Wastewater Director

X Court Reporter

Staff Contact - M Barone

From: Office of Chairman Julia L. Johnson

Docket No. 960833-TP

RECEIVED Title: Petition by AT&T Communications of the

OCT 28 1997

Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth ...

X

FPSC - Records/Reporting

#### 1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference		01/14/1998	Tallahassee,152	09:30-12:00
Hearing		01/26/1998	Tallahassee,148	09:30-18:00
Hearing		01/27/1998	Tallahassee,148	09:30-18:00
Hearing		01/28/1998	Tallahassee,148	09:30-17:00

Remarks: Docket(s): 960833,960846,971140

3rd docket added to hearing

#### 2. Hearing/Prehearing Assignment Information:

Former Assignments

H	ea	ri	nş	3

	Co	mmis	ssione	ers		Hrg. Exam.	Staff
ALL	JN	DS	CL	KS	GR		
X							

New or Changed Assignments

	Co	Hrg. Exam.	Staff				
ALL	JN	DS	CL	KS	GR		
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Prehearing Officer

	(	Comm	issio	ners	
JN	DS	CL	KS	GR	ADM
		X			

Commissioners DS JN CL KS GR ADM

Remarks:

Document ID is 96083304.CCS

PSC/NA 8 (07/97)

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## Case Scheduling/Rescheduling Advice

10/27/1997

	Ddx	Commissioner Deason
	X	Commissioner Clark
	X	Commissioner Kiesling
	Х	Commissioner Garcia
	Х	Executive Director
I	X	Public Information Office

x Deputy Ex. Director/Technical

x Appeals Director
x Legal Director

x Auditing & Financial Analysis Director

x Communications Director
x Consumer Affairs Director

Electric & Gas Director

x Records & Reporting Director x Research Director

Water & Wastewater Director

x Court Reporter
x Staff Contact - M Barone

From: Office of Chairman Julia L. Johnson

Docket No. 960833-TP

Petition by AT&T Communications of the

NOV 21 1997

Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth ...

#### 1. Schedule Information

FPSC - Records/Reporting

Event	Former Date	New Date	Location	Time
Prehearing Conference		01/14/1998	Tallahassee,152	09:30-12:00
Hearing		01/26/1998	Tallahassee,148	09:30-18:00
Hearing		01/27/1998	Tallahassee,148	09:30-18:00
Hearing		01/28/1998	Tallahassee,148	09:30-17:00

Remarks: Docket(s): 960833,960846,971140

3rd docket added to hearing

#### 2. Hearing/Prehearing Assignment Information:

Former Assignments

Hearing	

	Co	mmis	Hrg. Exam.	Staff			
ALL	JN	DS	CL	KS	GR		
X							

New or Changed Assignments

	Co	Hrg. Exam.	Staff				
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Prehearing
Officer

Commissioners											
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Commissioners

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#### Remarks:

Document ID is 96083304.CCS

PSC/NAN 8 (07/97)

#### Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. <u>960833-TP</u>

PSC/RAR-15 (Rev. 1/98)

Company: AT&T (AT&T Communications of the Southern States,

BellSouth Telecommunications, Inc.

Date Docketed: 07/16/1996 Title: Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996.

Official Filing Last Day to Sus				Exp	iration	: _		_									
Referred to: ("()" indicates	OPR)			.DM	AFA X	APP	CAF	(CMU)	EAG	GCL	LEG X	RAI	R F	RRR	WAW		
Section 2 - OPR	Comple	tes and ret	urns	to R	AR in 1	0 work	days.				Ti	me Scl	hedule	2			
Program/Module						IT IS	TENTA	IS SCHED	SUBJEC	T TO REV	ISION	<u>.</u>			_		
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Staff Counsel OCRs (AFA)	A Causs A Maure	ne, C Pelle seaux, D Dr	aper	, P L	ee,	2. 3. 4. 5. 6. 7.	Prehea Hearin Hearin Briefs Staff Specia	ncy Moti ring Tra g 1/26-2 g Transc Due Recommen l Agenda rd Order	nscript 8/98 ripts D dation	s Due ue					03/26/1	998 0 998 0 998 0	01/20/1998 01/22/1998 01/26/1998 01/26/1998 02/10/1998 03/03/1998 03/25/1998 04/06/1998
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Recommended ass and/or deciding Full Commission Hearing Examin	ignments this ca	ise:	ng			28. 29. 30. 31. 32. 33. 34.											
Date filed with Initials: OPR Staf	RAR: 01					37. 38. 39.							-				
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\* COMPLETED EVENTS

# Case Scheduling/Rescheduling Advice

01/13/1998

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- A	l.	v	

	Commissioner Deason
X	Commissioner Clark
	Commissioner Garcia
	Commissioner Jacobs

**Executive Director** 

Public Information Officer

Deputy Ex. Director/Technical

Appeals Director X

Legal Director X

Auditing & Financial Analysis Director

Communications Director X Consumer Affairs Director X

Electric & Gas Director

Records & Reporting Director X

X Research Director

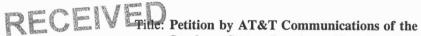
Water & Wastewater Director

X Court Reporter

Staff Contact - M Barone

From: Office of Chairman Julia L. Johnson

Docket No. 960833-TP



JAN 14 1998

Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth ...

X

FPSC - Records/Reporting

#### 1. Schedule Information

Event	Former Date	New Date	Location	Time
Motion Hearing (Emergency)*		01/20/1998	Tallahassee,152	15:00-17:00
:				

Remarks: Docket(s): 960833

#### 2. Hearing/Prehearing Assignment Information:

Former Assignments

	Co	mmis	Hrg. Exam.	Staff			
ALL	JN	DS	CL	GR	JC		

New or Changed Assignments

		Co	mmis	sione	rs		Hrg. Exam.	Staff
AI	LL	JN	DS	CL	GR	JC		
				X				

Prehearing Officer

Hearing

Commissioners									
JN	DS	CL	GR	JC	ADM				
-									

#### Remarks:

Document ID is 96083302.CCS

PSC/NAN 8 (01/98)

JN	DS	CL	GR	JC	ADM
		X			

Commissioners

<sup>\*</sup>To be noticed at prehearing to be held on Wednesday, January 14, 1998

# Case Saleduling/Rescheduling Advice

To:	X	Commissioner Deason	Х	Deputy Ex. Director/Technical		Electric & Gas Director
	Х	Commissioner Clark	Х	Appeals Director	Х	Records & Reporting Director
	X	Commissioner Garcia	Х	Legal Director	X	Research Director
	X	Commissioner Jacobs	х	Auditing & Financial Analysis Director		Water & Wastewater Director
	Х	Executive Director	Х	Communications Director	Х	Court Reporter
	Х	Public Information Officer	х	Consumer Affairs Director	Х	Staff Contact - M Barone

From: Office of Chairman Julia L. Johnson

Docket No. 960833-TP

RECEIVED Title: Petition by AT&T Communications of the JAN 15 1998

Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth ...

FPSC - Records/Reporting

#### 1. Schedule Information

Event	Former Date	New Date	Location	Time
Hearing	01/26/1998	no chg.	Tallahassee,148	09:30-18:00
Hearing	01/27/1998	no chg.	Tallahassee,148	09:30-18:00
Hearing	01/28/1998	no chg.	Tallahassee,148	09:30-17:00
Motion Hearing (Emergency)*	01/20/1998	no chg.	Tallahassee,152	15:00-17:00
Special Agenda		04/06/1998	Tallahassee,148	13:30-17:00

Remarks: Docket(s): 960833,960846,960757 \*Noticed at 1/14/98 Prehearing Conference

SPECIAL AGENDA ADDED AFTER INTERNAL AFFAIRS

#### 2. Hearing/Prehearing Assignment Information:

#### Former Assignments

Lagring	
Hearing	

	Co	mmis	ssione	ers		Hrg. Exam.	Staff
ALL	JN	DS	CL	GR	JC		
X							

New or Changed Assignments

	Co	Hrg. Exam.	Staff				
ALL	JN	DS	CL	GR	JC		

Commissioners

GR

JC

ADM

DS CL

JN

Prehearing Officer

Commissioners									
JN	DS	CL	GR	JC	ADM				
		X							

Remarks:

Document ID is 96083306.CCS

PSC/NAN 8 (01/98)

JULY 17, 1996



TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CANZANO)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND

RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

6933-PC

Attached is an <u>INITIAL ORDER ESTABLISHING PROCEDURE</u>, to be issued in the above-referenced docket. (Number of pages in Order - 9)

DLC/anr Attachment

cc: Division of Communications

I: 960833 P.DC

MUST GO TODAY

ok my N

13953-64



125 SOUTH GADSDEN STREET. SUITE 200 . TALLAHASSEE, FLORIDA 32301 . (904) 222-5050 . FAX (904) 222-1355

July 19, 1996

#### ----VIA FACSIMILE----

Blanca S. Bayó, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

Re: Docket No. 960833-TP

Dear Ms. Bayó:

The Florida Public Telecommunications Association, Inc. requests that it be included on the mailing list as an interested entity in the above-referenced docket. Please address all correspondence as follows:

Angela B. Green, General Counsel Florida Public Telecommunications Association, Inc. 125 South Gadsden Street, Suite 200 Tallahassee, Florida 32301

Thank you for your assistance with this matter.

Jincerety,

Angela B. Green General Counsel

JULY 24, 1996



TO:

DIVISION OF RECORDS AND REPORTING

FPSC-RECORDS/REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CANZANO)

D MKB

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

Attached is a <u>NOTICE OF WORKSHOP</u>, to be issued in the above-referenced docket. (Number of pages in Order - 2)

DLC/anr Attachment

cc: Division of Communications

I: 960833WS.DC

73/16

#### RUTLEDGE, ECENIA, UNDERWOOD, PURNELL & HOFFMAN

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA
KENNETH A. HOFFMAN
THOMAS W. KONRAD
R. DAVID PRESCOTT
HAROLD F. X. PURNELL
GARY R. RUTLEDGE
R. MICHAEL UNDERWOOD
WILLIAM B. WILLINGHAM

POST OFFICE BOX 551, 32302-0551 215 SOUTH MONROE STREET, SUITE 420 TALLAHASSEE, FLORIDA 32301-1841

> TELEPHONE (904) 681-6788 TELECOPIER (904) 681-6515

July 24, 1996

GOVERNMENTAL CONSULTANTS: PATRICK R. MALOY AMY J. YOUNG



FPSC-RECORDS/REPORTING

Ms. Blanca Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Betty Easley Conference Center Room 110 Tallahassee, Florida 32399-0850

Re: Florida PSC Docket No. 960833-TP; Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996

Dear Ms. Bayo:

The undersigned represents GTE Mobilnet ("GTE"). GTE is interested in the above-referenced docket. Please provide copies of all notices, CASRs, orders, staff recommendations, pleadings and other documents filed, served or issued in the above-referenced docket to the following:

Kenneth A. Hoffman, Esq.
William B. Willingham, Esq.
Rutledge, Ecenia, Underwood,
Purnell & Hoffman, P.A.
P. O. Box 551
Tallahassee, Florida 32302-0551
(904) 681-6788 (phone)
(904) 681-6515 (fax)

Thank you for your assistance in this matter.

Sincerely,

Kenneth A. Hoffma

KAH/rl

# MESSER, CAPARELLO, MADSEN, GOLDMAN & METZ

A PROFESSIONAL ASSOCIATION

215 SOUTH MONROE STREET, SUITE 701
POST OFFICE BOX 1876

Tallahassee, Florida 32302-1876

TELEPHONE: (904) 222-0720
TELECOPIERS: (904) 224-4359; (904) 425-1942



FPSC-RECORDS/REPORTING

July 23, 1996

Ms. Blanca Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

Re: Docket No. 960833-TL

Dear Ms. Bayo:

Please add this firm to the mailing list for Docket No. 960833-TL directing all pleadings, orders, notices, or other materials to the undersigned. Thank you for your assistance in this matter.

Yours very truly

Floyd R. Self

FRS/alb



#### **Continental Cablevision - Southeastern Region**

DONALD L. CROSBY

Regulatory Counsel



FPSC-RECORDS/REPORTING

Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

RE: Docket No 960833-TP, Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. Concerning interconnection and resale under the Telecommunications Act of 1996.

Dear Ms. Bayo:

Continental Cablevision, Inc., requests that it be included on the mailing list as an interested entity in the above-referenced docket. Please address all correspondence as follows:

Donald L. Crosby, Regulatory Counsel Continental Cablevision, Inc. 7800 Belfort Parkway, Suite 270 Jacksonville, Florida 32256

Thank you for your assistance with this matter.

Sincerely,

Donald L. Crosby

/tc



#### Florida Cable Telecommunications Association

Steve Wilkerson, President

July 30, 1996

Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

FPSC-RECORDS/REPORTING

RE: FPSC Docket No. 960833-TP

Dear Ms. Bayo:

I am writing to request that the Florida Cable Telecommunications Association, Inc. ("FCTA") be placed on the mailing list of persons interested in monitoring the above-referenced docket. Please send all mailings to the following:

Laura L. Wilson
Vice President, Regulatory Affairs
& Regulatory Counsel
Florida Cable Telecommunications Association, Inc.
310 North Monroe Street
Tallahassee, FL 32301
904/681-1990 Tel.
904/681-9676 Fax
E-Mail Address: FCTAINC@aol.com.

Thank you for your assistance in this matter. Please contact me with any questions.

Yours very truly,

Laura L. Wilson

Vice President, Regulatory Affairs

& Regulatory Counsel

LLW:baw

CC:

Mr. Steven E. Wilkerson





FPSC-RECORDS/REPORTING

8/1/96

Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

Re: Docket No. 960833-TP Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996.

Dear Ms. Bayo,

Time Warner Communications, on behalf of Time Warner AxS, L.P. and Digital Media Partners requests that it be included on the mailing list as an interested entity in the above-referenced docket. Please address all correspondence as follows:

Jill Butler, Director of Regulatory Affairs Time Warner Communications 2773 Red Maple Ridge Tallahassee, Florida 32301

Thank you for your assistance with this matter.

Sincerely,

Jill Butler

08199 AUG-6 #

FASCO-RECORDS YREPORTING

AUGUST 9, 1996

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CANZANO)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

PSC-96-1039-PCO-TP

Attached is an <u>ORDER ON CONSOLIDATION AND PROCEDURE</u> to be issued in the above-referenced docket. (Number of pages in Order - 6)

### THIS ORDER MUST BE ISSUED TODAY. Thank You!

MUSTGOTODAY

DC/clp

Attachment

cc: Division of Communications (Reith)

I: 960833c1.dc

Oh y

DOCUMENT NUMBER-DATE

FPSC-RECORDS/REPORTING



WILLIAM J. ELLENBERG II General Attorney

BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (404)335-0711

August 12, 1996

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

RE: Docket No. 960833-TP

Dear Mrs. Bayo:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Direct Testimony of William Victor Atherton, D. Daonne Caldwell, Gloria Calhoun, Dr. Richard D. Emmerson, W. Keith Milner, Walter S. Reid, Robert C. Scheye and Alphonso J. Varner. Please file these documents in the captioned APP docket. A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service. Sincerely, William J. Ellenberg II (BW) RECEIVED & FILED William J. Ellenberg EPSC-BUREAU OF RECORDS Enclosures

-cc: All Parties of Record

A. M. Lombardo R. G. Beatty

## CERTIFICATE OF SERVICE DOCKET NO. 960833-TP

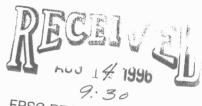
I HEREBY CERTIFY that a true and correct copy of the foregoing was served by hand delivery this 12th day of August, 1996 to the following:

Tracy Hatch
AT&T Communications of the Southern States, Inc.
101 North Monroe Street
Suite 700
Tallahassee, FL 32301
(904)425-6364
(904)425-6343 (fax)

Donna Canzano
Florida Public Service
Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
(904) 413-6204

William J. Ellerbug II

**AUGUST 14, 1996** 



TO:

DIVISION OF RECORDS AND REPORTING

FPSC-RECORDS/REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CANZANO)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

1047-PCD

Attached is an ORDER MODIFYING PROCEDURAL ORDER to be issued in the above referenced (Number of pages in Order - 3)

DC/clp Attachment I: 960833me.dc torred 2/b

AUGUST 15, 1996



FPSC-RECORDS/REPORTING

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CANZANO) 7/

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT A WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

Attached is a <u>NOTICE OF STAFF WORKSHOP</u>, to be issued in the above-referenced docket. (Number of pages in Order - 2)

DLC/anr Attachment

cc: Division of Communications

I: 960833N2.DC

Mar Jed

Nancy B. White General Attorney HallSouth Talacommunications, Inc. Legal Department - Suite 4300 675 West Peachtree Street Atlanta, Georgia 30375-0001 Telephone: 404-335-0710 Facsimile: 404-614-4054

August 22, 1996

#### VIA FACSIMILE

Donna Canzano Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399

RE: Docket No. 960833/960846-TP

Dear Donna:

In response to your request, the following constitutes BellSouth's argument as to why the issue cited below should not be included as an issue in this docket. AT&T has requested that an issue be included to read:

Should BellSouth be required to provide copies of all interconnection agreements entered into between BellSouth and other carriers, including other LECs and including those agreements entered into before the Act was enacted?

BellSouth opposes inclusion of this issue on several bases.

First, this issue is the subject of Docket No. 960290-TP, in which the Commission has issued Order No. PSC-96-0959-FOF-TP. This Order held that only those interconnection agreements between LECs competing in the same geographic markets entered into before or after the enactment of the Telecommunications Act of 1996 should be filed with the Commission and those between competitive carriers in the same geographic markets that have not yet been filed by the incumbent LEC should be filed with the Commission. The Order was issued as a Notice of Proposed Agency Action. Subsequently, AT&T filed a protest to this Order. adding this matter as an issue in the above captioned matters, AT&T is merely attempting to get another "bite at the apple." This should not be allowed. Docket No. 960290-TP is the appropriate docket to revisit this issue, particularly in light of the recent order issued by the Federal Communications Commission.

Second, AT&T is not entitled to these agreements under the Telecommunications Act. Section 252(a)(1) of the

Telecommunications Act specifically requires parties to seek Commission approval of agreements negotiated upon receiving a request for an interconnection pursuant to Section 251 of the act. The process clearly begins with the request for interconnection services or unbundled elements pursuant to Section 251. The parties then negotiate. And if an agreement is reached as a result of that request for interconnection, then that agreement is submitted to the Commission for approval.

It is that agreement negotiated pursuant to a Section 251 request that needs to be filed. The reference to existing agreements occurs in the context of that agreement negotiated pursuant to a request under Section 251. The Telecommunications Act is not intended to require submission of agreements existing between noncompeting carriers for approval. We do agree with the staff that that could include agreements like BellSouth's agreement with FCTA and Teleport that BellSouth and these parties negotiated under the Florida competition statute may be covered by this requirement.

This interpretation of the federal act is consistent with the purposes of the act. The act was designed to remove barriers to entry to facilitate competition, and these sections are designed to apply to agreements resulting from a request to an incumbent LEC to fulfill its obligations under the act.

AT&T has targeted agreements between noncompeting local exchange companies entered into at a time when the world was a different place. Incumbent local exchange companies operated in totally separate geographical areas. They did not compete with one another. They were all rate of return regulated. Often these agreements were entered into for purposes of implementing orders that the Commission issued, such as EAS.

Sincerely.

Nancy B. White

cc: Tracy Hatch

Richard Melson Blanca S. Bayo

Commissioner Deason

Charles Rehwinkel (aid to Commissioner Deason)

## BELLSOUTH TELECOMMUNICATIONS, INC.

LEGAL DEPARTMENT
4300 Southern Bell Center

i300 Southern Bell Center 675 W. Peachtree Street Atlanta, Georgia 30375



FAX: (404) 614-4054

FPSC-RECORDS/REPORTING

TO: Blanca S. Bayo  PHONE NO: 904-413-7118	NO. PAGES: 3 (Incl. cover)
FROM: Nancy White	•
PHONE NO:	
URGENT []	NORMAL []
21/15/59/AG	P <sub>r</sub>

This facsimile contains privileged and confidential information intended only for the use of the Addressee(s) named above. If you are not the intended recipient of this facsimile, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to us at the above address via the U.S. Postal Service. Thank you.

AUGUST 23, 1996



faxed red

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CANZANO)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

Attached is a <u>NOTICE OF STATUS CONFERENCE</u>, to be issued in the above-referenced docket. (Number of pages in Order - 2)

THIS NOTICE MUST BE ISSUED TODAY. YOUR COOPERATION IS APPRECIATED.

MUST GO TODAY

DLC/anr Attachment

cc: Division of Communications

I: 960846WS.DC

AUGUST 26, 1996



FPSC-RECORDS/REPORTING

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CANZANO)

MCB

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996

DOCKET NO. 960846-TP - PETITION BY MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

Attached is an <u>ORDER DENYING MOTION TO ESTABLISH PROCEDURE FOR</u>
"MEDIATION PLUS" to be issued in the above-referenced docket.
(Number of pages in Order - 3)

# MUST GO TODAY

DC/clp Attachment

cc: Division of Communications

I: 960833mp.dc

torred yo



# Public Service Commission

#### State of Florida

#### -M-E-M-O-R-A-N-D-U-M-

DATE:

August 27, 1996

TO:

Blanco Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE:

960833-TP and 960846-TP, Status Conference held 8-26-96

IN RE:

Petition by AT&T COMMUNICAITONS OF THE SOUTHER STATES,

INC. for Arbitration of Certain Terms and Conditions of a Proposed Agreement with BELLSOUTH TELECOMMUNICATIONS, INC., Concerning Interconnection and Resale Under the Telecommunications

ACt of 1996.

DOCUMENT NO. 09100, 8-27-96

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, CMU, SOLD

The following exhibits are being filed with this transcript:

NONE

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

Acknowledged by:

JK/pc

PSC/RAR 28 (Rev

AUGUST 29, 1996



FPSC-RECORDS/REPORTING

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CANZANO) MCB fr DC

RE:

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICE, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE

TELECOMMUNICATIONS ACT OF 1996.

1107-PCO

Attached is an <u>ORDER REGARDING MOTIONS AND DENYING ISSUE FOR ARBITRATION</u>, to be issued in the above-referenced docket. (Number of pages in Order - 7)

DLC/anr Attachment

cc: Division of Communications

I: 960833aa.DC

5 barrel

MUST GO TODAY

SEPTEMBER 5, 1996



TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CANZANO)

RE:

DOCKETS NOS. 960833-TP, 960846-TP, 960916-TP - PETITIONS BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., MCI TELECOMMUNICATIONS CORPORATION, MCI METRO ACCESS TRANSMISSION SERVICES, INC., AMERICAN COMMUNICATIONS SERVICES, INC. AND AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND

RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

Attached is a NOTICE OF STAFF WORKSHOP, to be issued in the above-referenced dockets. (Number of pages in Order - 2)

DLC/clp Attachment

cc: Division of Communications

960833N3.DC I:

organisal.

#### State of Florida

Commissioners: SUSAN F. CLARK, CHAIRMAN J. TERRY DEASON JULIA L. JOHNSON DIANE K. KIESLING JOE GARCIA



DIVISION OF RECORDS & REPORTING BLANCA S. BAYÓ DIRECTOR (904) 413-6770

## Public Service Commission

September 6, 1996

Mr. Tracy Hatch AT&T Communications of the Southeast, Inc. Suite 700 101 North Monroe Street Tallahassee, Florida 32301

Re:

Docket No. 960833-TP - Petition by AT&T Communications of the Southern States, Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. concerning interconnection and resale under the Telecommunications Act of 1996

Dear Mr. Hatch:

This will acknowledge receipt of your letter of August 12, where you requested that my office treat as confidential Exhibit 1A to a filing made by BellSouth Telecommunications on August 9. Since the filing was received and distributed throughout the Commission prior to my receipt of your request, I have referred your request to our Legal staff for further response.

Please contact me if you have questions regarding this matter.

Sincerely,

Blanca S. Bayó

BSB:kf

cc:

Noreen Davis

Martha Brown

SEPTEMBER 9, 1996



TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (BILLMEIER)

RE:

DOCKETS NOS. 960833-TP, 960846-TP, 960916-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., MCI TELECOMMUNICATIONS CORPORATION, MCI METRO ACCESS TRANSMISSION SERVICES, INC., AMERICAN COMMUNICATIONS SERVICES, INC. AND AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND

RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

1138-PCD

Attached is an <u>ORDER CONSOLIDATING PROCEEDINGS</u> to be issued in the above-referenced docket. (Number of pages in Order - 5)

Dates agree with cms

LMB/clp Attachment

cc: Division of Communications

I: 960833-2.1mb

5 forced 1 mailed

SEPTEMBER 11, 1996



3.20pm

TO:

DIVISION OF RECORDS AND REPORTING

PSC-RECORDS/REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CANZANO)

RE:

DOCKETS NOS. 960833-TP, 960846-TP, 960916-TP - PETITIONS BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., MCI TELECOMMUNICATIONS CORPORATION, MCI METRO ACCESS TRANSMISSION SERVICES, INC., AMERICAN COMMUNICATIONS SERVICES, INC. AND AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND

RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996

Attached is a <u>NOTICE OF COMMISSION HEARING AND PREHEARING</u> to be issued in the above-referenced docket. (Number of pages in Notice - 3)

DLC/clp Attachment

cc: Division of Communications

I: 960833n1.dc

oned of of one of the 
SEPTEMBER 17, 1996



TO:

COMMISSIONER J. TERRY DEASON

FROM:

DIVISION OF LEGAL SERVICES (CANZANO/PELLEGRINI)

RE:

DOCKETS NOS. 960833-TP, 960846-TP, 960916-TP - PETITIONS BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., MCI TELECOMMUNICATIONS CORPORATION, MCI METRO ACCESS TRANSMISSION SERVICES, INC., AMERICAN COMMUNICATIONS SERVICES, INC. AND AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND

RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996

Attached is an <u>ORDER GRANTING EXTENSION OF TIME</u> to be issued in the above referenced docket. (Number of pages in Order - 3)

MIST GO TODAY

DLC/CJP/clp Attachment

cc: Division of Communications

I: 960833ex.cjp

Short so

LAW OFFICES

## MESSER, CAPARELLO, MADSEN, GOLDMAN & METZ

A PROFESSIONAL ASSOCIATION

215 SOUTH MONROE STREET. SUITE 701
POST OFFICE BOX 1876
TALLAHASSEE, FLORIDA 32302-1876

TELEPHONE. (904) 222-0720
TELECOPIERS. (904) 224-4359. (904) 425-1942

September 27, 1996



**BY HAND DELIVERY** 

J. Phillip Carver, Esq. c/o Ms. Nancy Sims BellSouth Telecommunications, Inc. 150 S. Monroe St., Suite 400 Tallahassee, FL 32301

960833

Re: FPSC Docket No. 960916-TP

Dear Mr. Carver:

Thank you for your letter of September 26, 1996 regarding ACSI's Motion to Compel ACSI's First Request for Production of Documents.

While our secretary cannot specifically remember placing a copy of both filings in your envelope, the process she follows in assembling these filings is organized so as to ensure this result. However, if you do not receive a filing, that is clearly my responsibility and you cannot be required to make a response to a pleading that you did not receive.

I am also concerned that it took six days for this omission to be brought to our attention, especially since the cover letter indicated two separate pleadings and the Commission has required shortened pleading cycles and directed all parties to work cooperatively. Moreover, while not represented on the certificate of service, at 3:37 p.m on September 19, 1996 we concluded a fax transmission to Nancy White's office that contained both motions, and our fax confirmation sheet reflects that 17 pages were transmitted to her office, which is the total of the fax sheet, cover letter, the 6 page interrogatory motion, and the 9 page production motion.

Enclosed is a copy of the motion to compel the production of documents and a certificate of service.

Sincerely

Floyd R. Self

FRS/amb Enclosures

cc: Blanca Bayo, Director, Division of Records and Reporting

Parties of Record

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of a Letter to Phillip Carver and ACSI's Motion to Compel BellSouth's Answers to ACSI's First Request for Production of Documents in Docket No. 960916-TP has been sent by Hand Delivery (\*) on this 27th day of September, 1996 to the following parties of record:

Donna Canzano, Esq.\*
Division of Legal Services
Room 370, Gunter Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Phillip Carver, Esq.\*
c/o Ms. Nancy H. Sims
BellSouth Telecommunications, Inc.
150 S. Monroe Street, Suite 400
Tallahassee, FL 32301

Nancy White, Esq.\* c/o Ms. Nancy H. Sims BellSouth Telecommunications, Inc. 150 S. Monroe Street, Suite 400 Tallahassee, FL 32301

Tracy Hatch, Esq.\*
AT&T Communications of the Southern States
101 N. Monroe Street, Suite 700
Tallahassee, FL 32301

Richard Melson, Esq.\*
Hopping, Green, Sams & Smith
123 S. Calhoun St.
Tallahassee, FL 32301

Floyd R. Sel

## BEFORE THE PUBLIC SERVICE COMMISSION

In Re: Petition by American Communications Services, Inc. and American Communications Services of Jacksonville, Inc. For Arbitration with BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

DOCKET NO. 960916-TP Filed: September 19, 1996

# ACSI'S MOTION TO COMPEL BELLSOUTH'S ANSWERS TO ACSI'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

Pursuant to Rule 1.380 (a), Florida Rules of Civil Procedure, and Rule 25-22.034, Florida Administrative Code, American Communications Services, Inc., and American Communications Services of Jacksonville, Inc., (hereinafter "ACSI"), by and through counsel, respectfully request entry of an order compelling BellSouth Telecommunications, Inc.'s (hereinafter "BellSouth") Answers to Request for Production of Documents previously served by ACSI and as grounds therefore would state:

- 1. On August 13, 1996, ACSI served its First Request for Production of Documents numbered 1 through 16, to BellSouth, a copy of which is attached hereto as composite exhibit "A." On September 3, 1996, BellSouth filed objections to ACSI's First Request for Production of Documents. BellSouth objected to or provided partial responses to Items 1, 2, 3, 6, 7, 8, 9, 12, 14 and 15 and consolidated their objection to several items.
- 2. Pursuant to Rule 1.350 (b), Florida Rules of Civil Procedure, "any party may request any other party to produce and permit the party making the request, or someone acting in the requesting party's behalf to inspect and copy any designated documents, including writings, drawings, graphs, charts, photographs, phone-records, and other data compilations from which

information can be obtained . . ." Further, a party is permitted to discover relevant evidence that would be inadmissible at trial so long as it would lead to the discovery of admissible evidence. Amente v. Newman, 653 So.2d 1030 (Fla. 1995). Relevancy describes evidence that has a legitimate tendency to prove or disprove a given proposition that is material as shown by the pleadings. Zabner v. Howard Johnsons. Inc., 227 So.2d 43 (4th DCA 1969). ACSI's Request for Production of Documents seek such information.

## I. Request to Produce Items 1 and 2.

- 3. Item 1 of ASCI's First Request for Production of Documents, requested BellSouth to provide copies of all agreements between BellSouth and any CAP, ALEC, other LEC or IXC relating to local interconnection, local traffic exchange or access to unbundled network elements. Item 2 requested the same for cellular, PCS, SMR or other wireless providers. BellSouth objected to both requests on the basis that they are overly broad, oppressive and unduly burdensome. In addition, BellSouth contends that the request does not seek information relevant to the issues in this docket and are not reasonably calculated to lead to the discovery of admissible evidence.
- 4. Paragraph 1 of ASCI's Request for Production of Documents, seeks information that is reasonably calculated to lead to admissible evidence. BellSouth is required to provide unbundled network elements on a nondiscriminatory basis pursuant to 47 U.S.C. §§ 251(c)(3) and 252 (d)(1). Additionally, Art XXII of the ACSI/BellSouth Interconnection Agreement includes a Most Favorable Provisions clause making elements available to ACSI on the same basis as to others. In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, Docket No. 96-98, First Report and Order, ¶¶ 13.09; 13.10; and 13.23 (released August 8, 1996). Only by reviewing Agreements between BellSouth and other telecommunications carriers,

including CAPs, CLECs, IXCs, and other LECs, is it possible to ascertain whether BellSouth is providing nondiscriminatory access and rates. As to agreements predating the Act, the FCC explicitly concluded that such agreements, including those between neighboring incumbent LECs, must be made available. Docket No. 96-98, First Report and Order, ¶ 165.

## II. Request for Production Item 3 (d-g).

- 5. BellSouth has agreed to produce items 3 (a-c) but objects to Request No. 3 (d-g) on the grounds that these items were not requested in ACSI's Petition for Arbitration. Thus, BellSouth contends, the request is not reasonably calculated to lead to admissible evidence. In addition, BellSouth objects to the request to the extent it seeks to have BellSouth perform additional work on its cost studies.
- As to the items to which BellSouth objects, ACSI requested copies of the TSLRIC, TELRIC and/or other cost studies prepared by or for BellSouth which show the cost of providing each of the following types of local loops as an unbundled network element: (d) 2-Wire ADSL-Compatible Loop(s); (e) 2-Wire HDSL-Compatible Loop(s); (f) 4-Wire HDSL-Compatible Loops(s); (g) Integrated Digital Loop Carrier. In addition, the request asks that BellSouth identify non-recurring costs, recurring costs, fixed costs and distance-related costs. Also, that BellSouth breakdown the cost information provided to either: (1) specify the localities where ACSI has request interconnection or, if not available, (2) reflect costs at a disaggregated basis below the statewide level such as by exchange, switching center or density cell.
- 7. Items (d-g) of Request No. 3 are directly addressed in the petition, testimony and Interconnection Agreement attached to ACSI's Petition for Arbitration. (Robertson's Direct Testimony pp. 15 and 20, Exhibit C-2 to the Interconnection Agreement.) The premise upon which

BellSouth based its objection, i.e., that the items were not part of the petition, is clearly in error. Consequently, the objection is not viell founded. Further, this information is critical for a determination as to whether new entrants receive cost based pricing under § 252(c).

## III. Request for Production Items 6, 7, 11, 12(1), 14 and 15.

- 8. BellSouth collectively objected to Requests No. 6, 7, 11, 12(1), 14 and 15 on the grounds that the documents requested are not relevant and are not calculated to lead to the discovery of admissible evidence. Further, BellSouth contends the requests are overly broad, unduly burdensome, oppressive and seek sensitive competitive information.
- 9. In Item 6, ACSI requested copies of the TELRIC and/or other cost studies which show the cost of providing interoffice transport to ACSI. Without waiving its argument as to relevancy, ACSI withdraws this request.
- 10. In Item 7, ACSI requested BellSouth provide copies of TSLRIC, TELRIC and/or other cost studies prepared by or for BellSouth which related to the cost of providing each of the following services: (a) Special access (DS1 and DS3 level); (b) Private line (DS1 and DS3 level); (c) Centrex access and features; (d) PBX Trunk service and DID; (e) Residential local exchange services (1FR or the equivalent); (f) Business local exchange service (1MD or the equivalent); (g) Switched access transport (DS1 DTT, DS3 DTT and tandem switching); (h) Local switching. These studies are critical to enable ACSI to analyze BellSouth's cost evidence in this proceeding. ACSI cannot analyze BellSouth's cost studies in a vacuum. ACSI therefore requires cost studies of the comparable services listed in this request in order to compare whether BellSouth has consistently applied the same costing methodology. ACSI will also want to determine whether BellSouth, in conducting studies for the purposes of this proceeding, has taken the opportunity to include

additional shared and common costs or inflate inputs relative to other cost studies. The requested unbundled loop represents one part of several of the listed services, and comparisons will also be useful from this perspective. Finally, ACSI will utilize these cost studies for the purposes of examining overhead loadings utilized in past studies, as compared to those used in BellSouth's unbundled loop studies. To the extent the information is highly sensitive, ACSI is willing to enter into a protective agreement before reviewing this highly relevant data and in fact has executed such agreement.

- In Item 11, ACSI requested copies of any cost studies which have been prepared by or for BellSouth to support the non-recurring charge that BellSouth assesses when a customer elects to change its presubscribed long distance carrier. The information regarding non-recurring charges (NRCs) relating to presubscribed long-distance carriers is directly relevant for purposes of comparison with NRCs for local exchange services. A key issue in this proceeding is determining TELRIC based NRCs for unbundled loops. Many of the administrative and other activities required for a presubscription change are identical to the administrative and other activities required to provide unbundled loops. ACSI requires additional detail as to the presubscription process and any associated cost studies. Further, to the extent the information requested is highly sensitive, ACSI is willing to enter into a protective agreement before reviewing this purportedly highly sensitive data.
- 12. In Item 12(1), ASCI requested a copy of the unbundled 4 wire DSI Digital grade loop. The information requested in sub-part (1) is relevant because it would form the basis for a comparison of BellSouth's costing methodology for the unbundled loop types that ACSI has requested with 4-wire DS1 Digital Grade Loop, including an analysis of joint and common costs and

overhead loadings. The information is relevant and BellSouth has not given any reason as to how the production of a cost study is unduly burdensome or oppressive absent any showing the documents must be produced. To the extent subpart (1) seeks highly sensitive competitive information, ACSI is willing to enter into a proprietary agreement with BellSouth prior to reviewing such information.

- entered into since January 1, 1995, relating to the provision by BellSouth of Centrex access and features, Private lines, PBX Trunk Service and DID, and Special Access. ACSI moves the PSC to compel BellSouth to respond to Request No. 14. ACSI takes the position that the overhead loadings that BellSouth includes for "competitive" services such as those identified in this request are extremely useful in determining what the upper bound on overhead loadings on unbundled network elements should be. BellSouth must not be permitted to apply a conservative overhead loading standard when it intends to drive down the price of competitive services, but a liberal standard in attempting to drive up the price of bottleneck elements sold to competitors. Prices contained in BellSouth end user contracts are accordingly critical to ACSI's ability to analyze BellSouth cost studies and should be obtained from BellSouth. These prices are also essential for direct comparison purposes. If these costs are less than the proposed BellSouth unbundled loop rates, despite the fact that an unbundled loop represents only a portion of these services, BellSouth's unbundled loop rates are fundamentally flawed.
- 14. In Item 15 of ACSI's Request, BellSouth was requested to provide copies of a revenue/cost comparison or justification for its end user customer contracts listed in item 14 to the extent that these are prepared.

studies associated with end user contracts are of central significance for the reasons stated in ACSI's motion to compel a response to Request No. 14. Further, to the extent the information requested is highly sensitive, ACSI is willing to enter into a protective agreement before reviewing this purportedly highly sensitive data.

### IV. Request for Production Items 8 and 9.

ACSI to the BellSouth response to Item No. 3 of ASCI's request for Production. BellSouth's objections to Items 3 (d-g) were founded on the mistaken belief that those items were not part of the Petition. ASCI would incorporate its response to Item No. 3 in this response.

WHEREFORE, AMERICAN COMMUNICATIONS SERVICES, INC., and AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC., request entry of an order compelling BellSouth Telecommunications, Inc., to immediately file responsive and complete answers to ACSI's First Request for Production of Documents.

Respectfully submitted,
MESSER, CAPARELLO, MADSEN,
GOLDMAN & METZ, P.A.
Post Office Box 1876
Tallahassee, FL 32302-1876
(904) 222-0720

FLOYD R./SELF, ESC

NORMAN H. HORTON JR., ESQ.

Attorneys for American Communications Services, Inc. and American Communications Services of Jacksonville, Inc.

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of ACSI's Motion to Compel BellSouth's Answers to ACSI's First Request for Production of Documents in Docket No. 960915-TP has been sent by Hand Delivery (\*) on this 19th day of September, 1996 to the following parties of record:

Donna Canzano, Esq.\*
Division of Legal Services
Room 370, Gunter Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Phil Carver\*
c/o Nancy H. Sims
BellSouth Telecommunications, Inc.
150 S. Monroe Street, Suite 400
Tallahassee, FL 32301

Tracy Hatch, Esq.\*
AT&T Communications of the Southern States
101 N. Monroe Street, Suite 700
Tallahassee, FL 32301

Richard Melson, Esq.\*
Hopping, Green, Sams & Smith
123 S. Calhoun St.
Tallahassee, FL 32301

Floyd R. Self

OCTOBER 1, 1996



FPSC-RECORDS/REPORTING.
RECEIVED & FILED

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI)

RE:

DOCKETS NOS. 960833-TC, 960846-TC, 960916-TC - PETITIONS BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., MCI TELECOMMUNICATIONS CORPORATION, MCI METRO ACCESS TRANSMISSION SERVICES, INC., AMERICAN COMMUNICATIONS SERVICES, INC. AND AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

1232-PCD

Attached is an <u>ORDER GRANTING MOTION FOR LEAVE TO FILE SUPPLEMENTAL TESTIMONY</u>, to be issued in the above-referenced docket. (Number of pages in Order - 3)

CJP/clp Attachment

cc: Division of Communications (Reith, Chase, Greer, Norton,

Shelfer)

I: 96091601.cjp

MUSTGOTODAY

forced 50



## Public Service Commission

#### State of Florida

## -M-E-M-O-R-A-N-D-U-M-

DATE: October 7, 1996

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: 960847-TP/960980-TP and 960833, 846 and 916-TP, PHC held 10-3-96

IN RE: Petition by ATT/MCI/MCI Metro Access, etc., for Arbitration

(interconnection and resale under the Telecommunications Act of 1996.

DOCUMENT NO. 960847-TP/960980-TP, 10654, 10-7-96; 960833, 446 and 916-TP, 10653, 10-7-96

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, CMU, AFAD, SOLD

The following exhibits are being filed with this transcript:

NONE

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

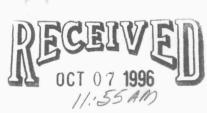
Acknowledged by:

JK/pc

PSC/RAR 28 (Rev

7/94)

OCTOBER 7, 1996



FPSC-RECORDS/REPORTING

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CANZANO)

RE:

DOCKETS NOS. 960833-TP, 960846-TP, 960916-TP - PETITIONS BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. MCI TELECOMMUNICATIONS CORPORATION, MCI METRO ACCESS TRANSMISSION SERVICES, INC., AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

1238-PHO

Attached is a <a href="PREHEARING ORDER">PREHEARING ORDER</a>, to be issued in the above-referenced docket. (Number of pages in Order - 63)

DLC/clp Attachment

cc: Division of Communications

I: 960833p1.DC

pseusoul 1. V. V. Led.

Gendon.



## Public Service Commission

#### State of Florida

### -M-E-M-O-R-A-N-D-U-M-

DATE: October 14, 1996

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

**RE:** 960833, 846 and 916-TP, HEARING held 10-9 through 10-11-96

IN RE: Petition by AT&T Communications of the Southern States, Inc., MCI

Telecommunications Corporation, MCI Metro Access Transmission Services, Inc., American Communications Services, Inc., and American Communications Services of Jacksonville, Inc., for arbitration of certain

terms and conditions of a proposed agreement with BellSouth

Telecommunications, Inc., concerning interconnection and resale under the

Telecommunications Act of 1996

DOCUMENT NO. VOLUME 1, 10825, 10-10-96; VOLUME 2, 10854, 10-10-96;

VOLUME 3, 10859, 10-10-96; VOLUME 4, 10870, 10-10-96;

VOLUME 5, 10886, 10-10-96; VOLUME 6, 10887, 10-10-96;

VOLUME 7, 10892, 10-11-96; VOLUME 8, 10922, 10-11-96;

VOLUME 9, 10923, 10-11-96, VOLUME 10, 10904, 10-11-96; VOLUME 11,10926, 10-1-96; VOLUME 12, 10927, 10-11-96

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, CMU, AFAD, CONSUMER AFFAIRS, SOLD

The following exhibits are being filed with this transcript:

NONE

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

Acknowledged by:

Who



## Public Service Commission

## State of Florida

### -M-E-M-O-R-A-N-D-U-M-

DATE: October 15, 1996

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

**RE:** 960833, 846 and 916-TP, HEARING held 10-9 through 10-11-96

IN RE:

Petition by AT&T Communications of the Southern States, Inc., MCI Telecommunications Corporation, MCI Metro Access Transmission Services, Inc., American Communications Services, Inc., and American Communications Services of Jacksonville, Inc., for arbitration of certain

terms and conditions of a proposed agreement with BellSouth

Telecommunications, Inc., concerning interconnection and resale under the

Telecommunications Act of 1996

DOCUMENT NO. VOLUME 13, 10940, 10-11-96; VOLUME 14, 10941, 10-11-96;

VOLUME 15, 10942, 10-11-96; VOLUME 16, 10956, 10-14-96; VOLUME 17, 10957, 10-14-96; VOLUME 18, 10958, 10-14-96;

VOLUME 19, 10959, 10-14-96

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, CMU, AFAD, CONSUMER AFFAIRS, SOLD

The following exhibits are being filed with this transcript:

NONE

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

Acknowledged by:

Trave

JK/pc

PSC/RAR 28 (Rev

# WILLIAM MARKHAM, CFA, ASA BROWARD COUNTY PROPERTY APPRAISER



Broward County Governmental Center 115 South Andrews Avenue ● Room 111F Fort Lauderdale, Florida 33301-1899 Telephone: 954-357-6830

October 29, 1996

Florida Service Commission 101 East Gaines St. Tallahassee, Florida 32399-8153

Attn: Don Strickland

Dear Mr. Strickland:

This office would appreciate you providing us with copies of the P.S.C. staff recommendations in regard to docket #960833. This docket deals with interconnect costs between Bell South and AT & T. Staff recommendations are due November 14, 1996.

We also would appreciate copies of the final hearing which are due November 26, 1996.

Very truly yours,

WILLIAM MARKHAM, CFA, ASA Broward County Property Appraiser

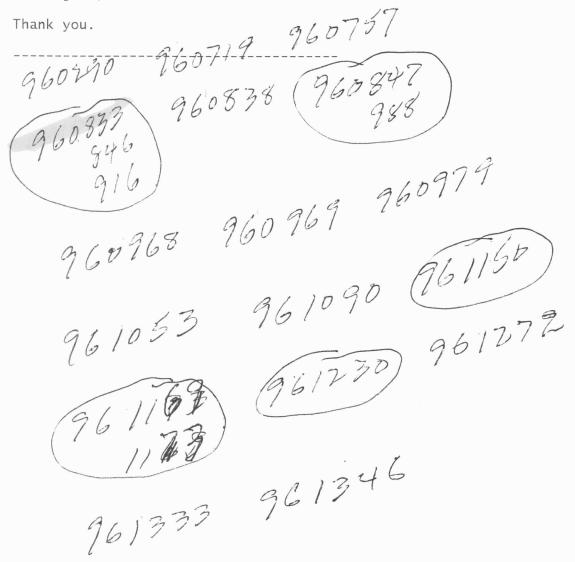
Post-it* Fax Note 7671	Date 10/29/96 # of pages 1
TO DON STRICKLAND	From Uliclian MARKHAM
FL. PUBLIC COUM.	CO. BR. CO. P.A.O.
Phone # (904) 413 - 6156	Phone # 351 - 6908
F34# 413 - 7/18	で多り357-8474

From: Monica Barone To: Don Strickland

Subject: Gayle Teicher - FCC

===NOTE========11/18/96==8:49pm= Don, please place Ms. Teicher on the mailing list to recieve a copy of the final order in all of the arbitration cases. The file nos. that I'm aware of are 960833 (Consolidated), 960847 (Consolidated), 961150, 961173, 961230

Her address is Federal Communications Commission 1919 M. Street Policy Division, Room 544 Washington, D.C. 20554



## U.S. DEPARTMENT OF JUSTICE

## **Antitrust Division**

Telecommunications Task Force 555 4th Street, N.W., Washington, D.C. 20001

(202) 514-5621 • FAX (202) 514-6381.

#### FACSIMILE TRANSMISSION COVER SHEET

From:

Kathleen Marshall

Ms. Blanca Bayo

FAX Number: 904 - 413-7118

Number of pages (including cover sheet):

2

Message:

The information contained in this facsimile is intended for the use of the addressee(s) listed on this coversheet and may be government privileged and confidential. If the reader of this message is not the intended recipient(s), you are hereby notified that any dissemination, distribution, or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify the sender at the telephone number listed on this coversheet and return the original facsimile via the United States Postal Service to the address above. Thank you.



#### Antitrust Division

Judiciary Center Building 555 Fourth Street, N.W. Washington, D.C. 20001

December 2, 1996

Ms. Blanca Bayo, Director Division of Records and Reporting Florida Public Service Commission Room 110, Easley Building 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

Re: Docket Nos. 96-1150, 96-0833, 96-0846, and 96-916

Dear Ms. Bayo:

Pursuant to Rule 25-22.005, of the Florida Administrative Code, the United States Department of Justice, Antitrust Division would like to be listed as an interested person in the above referenced matters, and would request that copies of the final orders be forwarded to my attention at Room 8225 of the address listed above, or by fax #202-514-6381.

If you require any further assistance in this matter, please do not hesitate to call me at 202-514-5819.

Sincerely yours,

Kathleen Marshall

Attorney

KM: aml



## Public Service Commission

#### State of Florida

## -M-E-M-O-R-A-N-D-U-M-

DATE: December 9, 1996

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

**RE:** 960833-TP, 960846-TP, 960916-TP, 12-2-96

IN RE:

ITEM 7A OF 12-2-96 AGENDA CONFERENCE

DOCUMENT NO. 13074, 12-9-96

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, CMU

The following exhibits are being filed with this transcript:

NONE

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

Acknowledged by:

mas

JK/pc

PSC/RAR 28 (Rev 7/94)

DECEMBER 31, 1996

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (BARONE, BROWN)

RE:

DOCKET NO. 960833-TP, 960846-TP, 960916-TP - PETITIONS BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., MCI TELECOMMUNICATIONS CORPORATION, MCI METRO TRANSMISSION SERVICES, INC., AMERICAN COMMUNICATIONS SERVICES, INC. AND AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND

RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996

96-1579-505

Attached is a FINAL ORDER ON ARBITRATION, with attachments, to be issued in the above-referenced docket. (Number of pages in Order - 117)

MMB/MCB/clp Attachment

cc: Division of Communications

I: 960833fo.mmb

JANUARY 8, 1997



FPSC-RECORDS/REPORTING

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CULPEPPER)

RE:

DOCKETS NOS. 960833-TP, 960846-TP, 960916-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., MCI TELECOMMUNICATIONS CORPORATION, MCI METRO ACCESS TRANSMISSION SERVICES, INC., AMERICAN COMMUNICATIONS SERVICES, INC. AND AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC. FOR ARBITRATION OF CERTAIN TERMS AND

CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH

TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND

RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

96-1579A

Attached is an AMENDATORY ORDER, to be issued in the abovereferenced docket. (Number of pages in Order - 2)

BC/anr Attachment

cc: Division of Communications

960833AO.MMB I:

Correct

FEBRUARY 10, 1997



TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI)

RE:

DOCKETS NOS. 960833-TP, 960846-TP, 960916-TP - PETITIONS BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., MCI TELECOMMUNICATIONS CORPORATION, MCI METRO ACCESS TRANSMISSION SERVICES, INC., AMERICAN COMMUNICATIONS SERVICES, INC. AND AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

0137. CFC

Attached is an <u>ORDER GRANTING REQUEST FOR CONFIDENTIAL</u> <u>CLASSIFICATION AND MOTION FOR PROTECTIVE ORDER</u> to be issued in the above referenced docket. (Number of pages in Order - 3)

CJP/clp Attachment

cc: Division of Communications (Greer, Norton, Shelfer)

I: 960833bc.cjp

MUST GO TODAY

5/0

## WIGGINS & VILLACORTA, P.A.

ATTORNEYS AT LAW
501 EAST TENNESSEE STREET
POST OFFICE DRAWER 1657
TALLAMASSEE, FLORIDA 32302

TELEPHONE (904) 222-1534
TELECOPIER (904) 222-1689

February 18, 1997

Ms. Blanca S. Bayo Director of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Re: Mailing List

Dear Ms. Bayo:

Please accept this letter as our official request to be put on the mailing list for the following docket(s):

Docket No. 960833 Docket No. 960846 Docket No. 960847

Mailings should be sent to:

Ms. Donna Canzano Wiggins & Villacorta, P.A. Post Office Drawer 1657 Tallahassee, Florida 32302

Thank you for your assistance in this matter.

Sincerely,

Pam Keillor \
Office Manager

### ERVIN, VARN, JACOBS & ERVIN

ATTORNEYS AT LAW

THOMAS M. ERVIN, JR. C EVERETT BOYD JR MELISSA FLETCHER ALLAMAN ROBERT M. ERVIN, JR. I STANLEY CHAPMAN DAVID R. WESTCOTT

305 SOUTH GADSDEN STREET P.O. DRAWER 1170 (32302)

TALLAHASSEE, FLORIDA 32301

TELEPHONE (904) 224-9135 TELECOPIER (904) 222-9164 COLINSEL CONSULTANT ROBERT M. ERVIN

OF COUNSEL WILFRED C. VARN JOSEPH C. JACOBS RICHARD W. ERVIN MARILYN K. MORRIS

LEROY COLLINS

February 25, 1997



Honorable Blanca S. Bayo Director - Records and Reporting Florida Public Service Commission Room 110 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

FPSC-RECORDS/REPORTING

Docket Nos. 960833-TP and 960846-TP

Dear Ms. Bayo:

Please place my name on the mailing list for the referenced dockets to receive all notices, orders and other communication from the Commission. Thank you for your assistance.

Sincerely,

CEBJr/bc

Everett was entered in this



## Public Service Commission

#### State of Florida

## -M-E-M-O-R-A-N-D-U-M-

DATE: February 28, 1997

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: DOCKET NO. 960833, 846 and 916-TP SPECIAL AGENDA CONFERENCE

HELD 2-21--97

RE: ATT/MIC/BELLSOUTH ARBITRATION

DOCUMENT NO: 02190, 2-27-97

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, CMU, SOLD

The following exhibits are being filed with this transcript:

**NONE** 

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

**NONE** 

Acknowledged by:

JK/pc

PSC/RAR 28 (Rev 7/94)

March 18, 1997



TO:

DIVISION OF RECORDS AND REPORTING

FPSC-RECORDS/REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CULPEPPER)

NICO

RE:

DOCKET NO. 960833-TP, 960846-TP, 960916-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., MCI TELECOMMUNICATIONS CORPORATION, MCI METRO ACCESS TRANSMISSION SERVICES, INC., AMERICAN COMMUNICATIONS SERVICES, INC., AND AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

0298-500

Attached is a <u>FINAL ORDER ON MOTIONS FOR RECONSIDERATION AND AMENDING ORDER NO. PSC-96-1579-FOF-TP</u> to be issued in the above-referenced docket. (Number of pages in Order - 34)

BC/clp Attachment

cc: Division of Communications

I: 960833RO.BC

See 1 + 3-3

14/3



March 19, 1997

FPSC-RECORDS/REPORTING

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (CULPEPPER)

RE:

DOCKET NO. 960833-TP, 960846-TP, 960916-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., MCI TELECOMMUNICATIONS CORPORATION, MCI METRO ACCESS TRANSMISSION SERVICES, INC., AMERICAN COMMUNICATIONS SERVICES, INC., AND AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND

RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

0300-FOF

Attached is an <u>FINAL ORDER APPROVING ARBITRATED AGREEMENT</u>

<u>BETWEEN BELLSOUTH TELECOMMUNICATIONS</u>, INC. AND AT&T COMMUNICATIONS

<u>OF THE SOUTHERN STATES</u>, INC. AND GRANTING EXTENSION OF TIME to be issued in the above-referenced docket. (Number of pages in Order - 14)

PLEASE ISSUE THIS ORDER TODAY. THANK YOU.

BC/clp Attachment

cc: Division of Communications

I:\960833TP.BC

su 1+12

MUST GO TODAY

14/3

MARCH 21, 1997



FPSC-RECORDS/REPORTING

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (BARONE)

RE:

DOCKETS NOS. 960833-TP, 960846-TP 960916-TP - PETITIONS BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., MCI TELECOMMUNICATIONS CORPORATION, MCI METRO ACCESS TRANSMISSION SERVICES, INC., AMERICAN COMMUNICATIONS SERVICES OF JACKSONVILLE, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

0309-FOF

MB

Attached is an <u>FINAL ORDER APPROVING ARBITRATION AGREEMENT BETWEEN MCI TELECOMMUNICATIONS CORPORATION, MCIMETRO ACCESS TRANSMISSION SERVICES, INC. AND BELLSOUTH TELECOMMUNICATIONS, INC., to be issued in the above-referenced docket. (Number of pages in Order - 45)</u>

MMB/clp Attachment

cc: Division of Communications

I: 960846tp.mmb

su p. 1

Sent to man (Room)

Nothing else-

## LANDERS & PARSONS, P., ..

ATTORNEYS AT LAW

CINDY L. BARTIN
DAVID S. DEE
JOSEPH W. LANDERS, JR.
JOHN T. LAVIA. III
FRED A. McCORMACK
PHILIP S. PARSONS
ROBERT SCHEFFEL WRIGHT

May 22, 1997

310 WEST COLLEGE AVENUE
POST OFFICE BOX 271

TALLAHASSEE, FLORIDA 32302

TELEPHONE (904) 681-0311

TELECOPY (904) 224-5595

HOWELL L. FERGUSON
OF COUNSEL

BY TELECOPIER

VICTORIA J. TSCHINKEL
SENIOR CONSULTANT
(NOT A MEMBER OF THE FLORIDA BAR)

Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850 RECEIVED

MAY 22 1997

FPSC - Records/Reporting

Re: FPSC Docket No. 960833, Petition by AT&T Communications of the Southern States, Inc. for Arbitration of Certain Terms and Conditions of a Proposed Agreement With BellSouth Telecommunications, Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996

Dear Ms. Bayo:

Please add the following to the list of interested persons for the above-captioned docket.

Jill Butler
Director, Regulatory Affairs
Cox Communications, Inc.
4585 Village Avenue
Norfolk, Virginia 23502
Telephone (757) 552-6524
Telecopier (757) 857-6716

Robert Scheffel Wright Landers & Parsons, P.A. 310 West College Avenue (ZIP 32301) Post Office Box 271 Tallahassee, Florida 32302 Telephone (904) 681-0311 Telecopier (904) 224-5595

On behalf of Cox Communications, Inc.

Thank you very much for your assistance. If you have any questions, please give me a call.

Cordially yours,

Robert Scheffel V

# RECEIVED

FPSC - Records/Reporting

### MEMORANDUM

May 22, 1997

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (BARONE)

RE:

DOCKET NO. 960833-TP - PETITION BY AFET COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED Agreement WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996

PSC-97-0600-FOF-TP

Attached is an ORDER ON AGREEMENT BETWEEN AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. AND BELLSOUTH TELECOMMUNICATIONS, INC., to be issued in the above referenced docket. (Number of pages in order -10)

MMB/cc Attachment

cc: Division of Communications

I:960833at.mmb

P.Z

Je1,015

Jareh winds

June 19, 1997

## RECEIVED

JUN 1 9 1997

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI)

MCB

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996

PSC-97-0724-FOF-TP

Attached is an <u>ORDER APPROVING AGREEMENT</u> to be issued in the above referenced docket. (Number of pages in order - 3)

50/

CJP/clp

Attachment

cc: Division of Communications (Greer, Norton, Sirianni)

I: 960833ao.cjp

June 25, 1997



TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI) COMOS

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996

PSC-97-0724A+FOF-TP

Attached is an <u>AMENDATORY ORDER</u> to be issued in the above referenced docket. (Number of pages in Order - 2)

CJP/clp Attachment

cc: Division of Communications (Greer, Norton, Sirianni, Stavanja)

I: 960833am.cjp

16/3

August 1, 1997

RECEIVED

AUG 1997

Florida Public Service Commissioner Deason

TO:

COMMISSIONER J. TERRY DEASON

FROM:

DIVISION OF LEGAL SERVICES (DREW)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

Attached is an ORDER GRANTING BELLSOUTH TELECOMMUNICATIONS, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR DOCUMENT NO. 11389-96 for your review and signature. Please call Shirley Jeff when the Order has been signed. (Number of pages in Order - 5).

AED:smj Attachment I:11389.AED

August 1, 1997

TO:

COMMISSIONER J. TERRY DEASON

FROM:

DIVISION OF LEGAL SERVICES (DREW)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

Florida Public Service Commissioner Deason

ACT OF 1996.

Attached is an ORDER GRANTING AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR DOCUMENT NO. 08035-96 for your review and signature. Please call Shirley Jeff when the Order has been signed. (Number of pages in Order - 4).

AED:smj Attachment I:08035.AED

August 1, 1997

TO:

COMMISSIONER J. TERRY DEASON

FROM:

DIVISION OF LEGAL SERVICES (DREW

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

Florida Public Service Commissioner Deason

ACT OF 1996.

Attached is an ORDER GRANTING BELLSOUTH TELECOMMUNICATIONS, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR DOCUMENT NO. 11447-96 for your review and signature. Please call Shirley Jeff when the Order has been signed. (Number of pages in Order - 6).

AED: smj Attachment I:11447.AED

August 4, 1997

TO:

COMMISSIONER J. TERRY DEASON

FROM:

PECEIVED DIVISION OF LEGAL SERVICES (DREW)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

Florida Public Service Comm.

Commissioner Deason

ACT OF 1996.

Attached is an ORDER GRANTING AT&T OF THE SOUTHERN STATES, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR DOCUMENTS NOS. 07452-96, 07453-96, 07454-96, AND 07455-96 for your review and signature. Please call Shirley Jeff when the Order has been signed. (Number of pages in Order - 10).

AED: smj Attachment I:ATTREQ.AED

August 8, 1997



AUG - 8 1997

FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (DREW)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

0955-CFO

Attached is an ORDER GRANTING AT&T OF THE SOUTHERN STATES, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR DOCUMENTS NOS. 07452-96, 07453-96, 07454-96, AND 07455-96 to be issued in the above-referenced docket. (Number of pages in Order - 10).

AED:smj Attachment I:ATTREQ.AED

MUSTGOTODAY

5 marle & pred &

August 8, 1997



AUG -8 1997 H.YO FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (DREW)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

0950-CFO

Attached is an ORDER GRANTING AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR DOCUMENT NO. 08035-96 to be issued in the above-referenced docket. (Number of pages in Order - 4).

AED:smj Attachment I:08035.AED

THIST GO TODAY

5 marled

August 8, 1997



AUG - 8 1997 H:40 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (DREW)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

095 B-CFO

Attached is an ORDER GRANTING BELLSOUTH TELECOMMUNICATIONS, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR DOCUMENT NO. 11389-96 to be issued in the above-referenced docket. (Number of pages in Order - 5).

AED: smj Attachment I:11389.AED

MUST GO TODAY

5 marled o faxed

August 8, 1997



FPSC - Records/Reporting

TO:

DIVISION OF RECORD AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (DREW)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

0956-CFD

Attached is an ORDER GRANTING BELLSOUTH TELECOMMUNICATIONS, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR DOCUMENT NO. 11447-96 to be issued in the above-referenced docket. (Number of pages in Order - 6).

AED: smj Attachment I:11447.AED

RUST GO TODAY

5 marles

### KERMAN, SENTERFITT & EIDSC P.A.

#### ATTORNEYS AT LAW

216 SOUTH MONROE STREET - SUITE 200

POST OFFICE BOX 10555

TALLAHASSEE, FLORIDA 32302-2555

(904) 222-3471

TELECOPY (904) 222-8628



September 11, 1996

FPSC-RECORDS/REPORTING

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

Re:

Consolidated Docket Nos. 960833-TP/960846-TP

Dear Ms. Bayo:

On behalf of BellSouth Advertising & Publishing Corporation, enclosed for filing in the above docket is the disc of the Notice of Request For Clarification of Issue Preclusion, or, In the Alternative, Notice of Substantial Interest. The document on the enclosed disc was filed on Wednesday, September 11, 1996.

The disc is a double density disc. The operating system is IBM compatible. The software format is Wordperfect 6.0.

If you have any questions, please give me a call.

Sincerely,

MARK HERRON E. GARY EARLY

CC:

Parties of Record

MH/EGE/lcr Enclosures

DOEDHEN! NUMBER-DATE

FPSC-RECORDS/REPORTING

### RECEIVED

September 25, 1997

SEP 25 1997 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (BARONE)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996; AND

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996;

Attached is a NOTICE OF STAFF WORKSHOP to be issued in the above referenced docket. (Number of pages in Notice - 2)

MMB/clp Attachment

cc: Division of 960833ID.mmb I:



Tracy Hatch Attorney Suite 700 101 N. Monroe St. Tallahassee, FL 32301 904 425-6364 FAX: 904 425-6361

October 7, 1996



FPSC-RECORDS/REPORTING

Ms. Blanca Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Re: Docket No. 960833-TP

Dear Ms. Bayo:

Enclosed for use of the Commissioners are copies of the color slides which were exhibits to AT&T's prefiled direct testimony of James L. Tamplin, Jr. These copies are to replace the illegible black and white copies which were originally filed.

Yours very truly,

Tracy Hatch

**Enclosures** 

### RECEIVED

October 15, 1997

OCT 15 1997 (D:40) FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (DREW) AZD

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

PSC-97-1270-CFD-TP

Attached is an ORDER GRANTING BELLSOUTH TELECOMMUNICATIONS, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR DOCUMENT NO. 11392-96 to be issued in the above-referenced docket. (Number of pages in Order - 5)

attackments not on live.

AED:smj Attachment I:11392.AED

MUST CO TODAY

October 15, 1997

## RECEIVED

OCT 15 1997 (D; 4D FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (DREW)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

PSC-97-1271-CFD-TP

Attached is an ORDER GRANTING BELLSOUTH TELECOMMUNICATIONS, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR DOCUMENT NO. 09628-96 to be issued in the above-referenced docket. (Number of pages in Order - 33).

Attachments not on line and an area of the confidence of the confidenc

AED:smj
Attachment

I:0962896.AED

THIST CO TODAY

### RECEVED

October 20, 1997

UCT 21 1997 9:20 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (BARONE)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 971140-TP - PETITION BY MCI METRO ACCESS TRANSMISSION SERVICES, INC. TO SET NON-RECURRING CHARGES FOR COMBINATION OF NETWORK ELEMENTS WITH BELLSOUTH TELECOMMUNICATIONS, INC.

PSC-97-1303-PCO-TP

Attached is an ORDER CONSOLIDATING DOCKETS, ESTABLISHING PROCEDURE, DENYING REQUEST FOR ORAL ARGUMENT, AND ESTABLISHING TENTATIVE LIST OF ISSUES to be issued in the above referenced dockets. (Number of pages in Order - 12)

MMB/clp

cc: Division of Communications (Greer, Norton, Sirianni and

I: 960833pr.mmb

Attachment Stavanja)

RECEIVED

November 5, 1997

NOV - 6 1997 11:55 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (BARONE)

RE:

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

PSC-97-1399-PCD-TP

Attached is an  $\underline{\text{ORDER GRANTING INTERVENTION}}$ , to be issued in the above referenced docket. (Number of pages in order - 4)

MMB/anr Attachment

cc: Division of Communications

I: 960833a.int



### MAHONEY ADAMS & CRISER, P.A.

3400 BARNETT CENTER • 50 NORTH LAURA STREET
POST OFFICE BOX 4099

JACKSONVILLE, FLORIDA 32201

(904) 354-1100 • TELECOPIER (904) 798-2698

WILLIAM W. DEEM

DIRECT LINE (904) 798-2615

November 18, 1997

Via Facsimile & U.S. Mail

Ms. Kay Flynn Chief, Bureau of Records Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850



Re:

MCI Telecommunications Corp., et al. v. BellSouth Telecommunications, Inc. and Florida Public Service Commission,; U.S. District Court, Northern District of Florida; Case No. 4:97cv141 RH

Docket Nos. 960846-TP and 960833-TP

Dear Ms. Flynn:

I represent BellSouth Telecommunications in the referenced Federal litigation. I am writing to confirm the process by which BellSouth will seek confidential treatment for certain documents as you prepare to transmit them to the District Court.

You are currently compiling a record from the referenced dockets, based on the parties' designations, for transmittal to the District Court. Some of the documents designated, however, were afforded confidential treatment by the Commission, and BellSouth would like for that treatment to continue. Therefore, I need an opportunity to obtain a protective order from the Court prior to your transmittal of the documents, or to at least arrange for transmittal of the documents under seal pending resolution of the motion for protective order.

We have agreed that in preparing the documents for transmittal, you will segregate those documents that the Commission has treated confidentially and notify me when you have done so. I will review the documents and prepare a motion for protective order, to be filed with the District Court prior to your transmittal of the record. Until such time as the Court rules on the motion, you will continue to treat the documents as confidential in accordance with the Commission's prior designation. If you are asked to transmit the record before the Court rules, you will transmit the confidential documents in sealed envelopes bearing a notation that they have been designated as confidential by the Commission and are subject to a motion for protective order pending before the District Court. Please notify me in the event you receive such a request.

Ms. Kay Flynn November 18, 1997 Page 2

The foregoing is consistent with prior discussions among counsel. By copy of this letter, however, I am asking counsel for MCI and the Commission to contact me in the event they have any disagreement with the procedure outlined above.

If I misunderstood our discussion, or if you have any other questions or comments, please call me. If not, I will look forward to hearing from you when the confidential portion of the record is compiled. Thank you for your cooperation.

Very truly yours,

William W. Deem

WWD/sid

cc: David Smith, Esq.

Carolyn S. Raepple, Esq.

Sean A. Lev. Esq.

J. Phillip Carver, Esq.

Nancy B. White, Esq.

November 24, 1997



TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 971140-TP - PETITION BY MCI METRO ACCESS TRANSMISSION SERVICES, INC. TO SET NON-RECURRING CHARGES FOR COMBINATION OF NETWORK ELEMENTS WITH BELLSOUTH TELECOMMUNICATIONS, INC.

Attached is an ORDER REVISING ORDER ESTABLISHING PROCEDURE, to be issued in the above referenced docket. (Number of pages in forted = 71 order - 3)

CJP/anr Attachment

cc: Division of Communications

I: 960833ed.cjp



STATE OF FLORIDA

# Office of the Governor

THE CAPITOL TALLAHASSEE, FLORIDA 32399-0001

### RECEIVED

DEC 02 1997

FPSC - Records/Reporting

LEGAL DIVISIO

November 26, 1997

Mr. Charles J. Pellegrini Staff Counsel Florida Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Dear Mr. Pellegrini:

Please change the mailing address for the Executive Office of the Governor to reflect Stuart Pollins as the recipient of docket numbers 960757-TP, 960833-TP, and 971140-TP. If you require additional information, please contact me at 922-5060.

Thank you.

Sincerely,

Bonnie Glover

Administrative Assistant

Office of Planning and Budgeting

rs 960757-TP, 960833-TP, and 9 ontact me at 922-5060.

Consolida

PA



Tracy Hatch Attorney Suite 700 101 N. Monroe St. Tallahassee, FL 32301 904 425-6364 FAX: 904 425-6361

December 12, 1997

RECEIVED
DEC 12 1997

FPSC - Records/Reporting

Mrs. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Dear Mrs. Bayo:

Re: **DOCKET NO. 960833-TP** 

You will find enclosed a diskette containing AT&T's Prehearing Statement filed in the above-referenced docket.

Yours truly,

Tracy Hatch

TH/mr Enclosure

RECEIVED & FILED

C)

PEA OF RECORDS

December 18, 1997

RECEIVED

DEG 1.8 1997 10:40 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI) GNB

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

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DOCKET NO. 971140-TP - PETITION BY MCI METRO ACCESS TRANSMISSION SERVICES, INC., TO SET NON-RECURRING CHARGES FOR COMBINATION OF NETWORK ELEMENTS WITH BELLSOUTH TELECOMMUNICATIONS, INC. PCC-G7-1593-PCD-IP

Attached is an <u>ORDER SETTING MATTERS FOR HEARING</u> to be issued in the above referenced docket. (Number of pages in order - 7)

CJP/bm

Attachment

cc: Division of Communications (Sirianni)

I: 960833o1.cjp

10

### RECEIVED

### MEMORANDUM

December 31, 1997

DEC 3 1 1997 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI COMB

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH TELECOMMUNICATIONS, INC. BELLSOUTH CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 971140-TP - PETITION BY MCI METRO ACCESS TRANSMISSION SERVICES, INC. TO SET NON-RECURRING CHARGES FOR COMBINATION OF NETWORK ELEMENTS WITH BELLSOUTH TELECOMMUNICATIONS, INC.

Attached is a NOTICE OF COMMISSION HEARING AND PREHEARING to be issued in the above referenced docket. (Number of pages in notice - 3)

CJP/bm

Attachment

cc: Division of Communications (Sirianni)

960833hq.cjp

N/H-T 79/17 + Clk+ Mayors 462

January 2, 1998

RECEIVED

JAN 02 1998 11:15 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI)

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 971140-TP - PETITION BY MCI METRO ACCESS TRANSMISSION SERVICES, INC. TO SET NON-RECURRING CHARGES FOR COMBINATION OF NETWORK ELEMENTS WITH BELLSOUTH TELECOMMUNICATIONS, INC.

PSC-98-0007-PCO-TP

ST GO TODAY A

Attached is an ORDER ON RECONSIDERATION OF ORDER NO. PSC-97-1399-PCO-TP, to be issued in the above referenced docket (Number of pages in order - 7)

CJP/anr Attachment

cc: Division of Communications

I: 960833i3.cjp

See 2

RECEIVED

January 2, 1998

JAN 02 1998 11:15 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI)

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

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DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 971140-TP - PETITION BY MCI METRO ACCESS TRANSMISSION SERVICES, INC. TO SET NON-RECURRING CHARGES FOR COMBINATION OF NETWORK ELEMENTS WITH BELLSOUTH TELECOMMUNICATIONS, INC.

P5C-98-0008-PCO-TP

10/1 14/1

Attached is an <u>ORDER DENYING INTERVENTION</u>, to be issued in the above referenced docket. (Number of pages in order - 4)

CJP/anr Attachment

cc: Division of Communications

I: 960833i4.cjp

See 2



-M-E-M-O-R-A-N-D-U-M-

DATE: January 6, 1998

TO: Parties of Record and Interested Persons in Dockets 951560-TP (960833-TP, 960847-

TP, 970157-TP, 970281-TL, 970604-TP, 970644-TP, and 970744-TP

FROM: Blanca S. Bayó, Director of Records and Reporting

**RE:** Contact Regarding Employment

Section 5.02 B.1.c. of the Commission's Administrative Procedures Manual requires that all parties and interested persons in affected dockets be notified if a staff member involved in any of those dockets indicates that he or she has been approached regarding employment by a party in the dockets.

As a party in the referenced dockets, you are hereby notified that David Dowds, Public Utilities Supervisor in the Division of Communications, has advised the Commission that he was contacted by BellSouth Telecommunications, Inc. regarding employment.

#### BSB:kf

cc:

Walter D'Haeseleer Sally Simmons William D. Talbott James A. Ward Mary A. Bane Robert D. Vandiver

David Dowds



### -M-E-M-O-R-A-N-D-U-M-

DATE: January 5, 1998

TO: Blanca Bayo, Director, Records and Reporting

FROM: Sally Simmons, Bureau Chief, Communications SAS

**RE**: Reporting Requirement per Section 5.02, A.P.M.

As a follow-up to Dave Dowds' December 30, 1997 memo to Mr. Talbott (attached), I wanted to apprise you of the open dockets to which Mr. Dowds or his employees are presently assigned. Mr. Dowds is personally assigned to only one docket, DN 970157-TP; however, he supervises employees who are assigned to the following dockets:

DN 951560-TP DN 960833-TP DN 960847-TP DN 970157-TP DN 970281-TL DN 970604-TP DN 970644-TP DN 970744-TP

If you need any further information, please let me know. Thank you.

#### Attachment

c: Mr. Talbott

Dr. Bane

Mr. D'Haeseleer



### -M-E-M-O-R-A-N-D-U-M-

DATE:

December 30, 1997

TO

William Talbott, Executive Director

FROM:

Dave Dowds, Division of Communications

RE

Reporting Requirement per Section 5.02, A.P.M.

On December 19, 1997, Nancy Sims of BellSouth asked if I would be willing to consider an offer of employment with BellSouth if one were made. (I have been on vacation until today, which is why this memo is dated more than five working days from the encounter.) While not making an explicit offer, Ms. Sims described in broad terms a position with BellSouth regulatory. No further contact has occurred to date.

cc:

Sally Simmons

Richard Tudor Walter D'Haeseleer

\adm\1230bst.mem

12/30/97

#### Walter:

Please get with David and identify any dockets that he is participating in and to which this prospective employer or affiliated company is a party, and request that Records and Reporting notify all interested parties in those dockets of this contact.

c:

Mr. Paul Nichols, Chief of Personnel

Dr. Mary Bane, Deputy Executive Director/Technical

Mr. Jack Shreve, Public Counsel

## RECEIVED

#### MEMORANDUM

January 7, 1998

JAN 07 1998 430 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI)

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996

Attached is a <u>NOTICE OF EMERGENCY PREHEARING</u>, to be issued in the above referenced docket. (Number of pages in order - 2)

CJP/anr Attachment

cc: Division of Communications

I: 960833eh.cjp

10

January 14, 1998

RECEIVED

JAN 14 1998 10:20 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI)

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH TELECOMMUNICATIONS, INC. BELLSOUTH CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 971140-TP - PETITION BY MCI METRO ACCESS TRANSMISSION SERVICES, INC., TO SET NON-RECURRING CHARGES FOR COMBINATION OF NETWORK ELEMENTS WITH BELLSOUTH TELECOMMUNICATIONS, INC. 98-0090-DCD

Attached is an ORDER SEVERING DOCKET 971140-TP, ESTABLISHING PROCEDURE, AND ESTABLISHING TENTATIVE LIST OF ISSUES

which is ready for your review and signature. Please call Brad Martin or Charlie Pellegrini when it has been signed. (Number of fortunal! pages in order - 12)

CJP/bm

Attachment

cc: Division of Communications

I: 971140ep.cjp

MUSICO TODAY



-M-E-M-O-R-A-N-D-U-M-

M. CH FA JJ

DATE: JANUARY 14, 1998

TO: CHAIRMAN JULIA L. JOHNSON

FROM: BETH KEATING

RE: DOCKET NO. 960757-TP, 960833-TP, 960846-TP - PETITIONS FOR

ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED **AGREEMENT** WITH BELLSOUTH TELECOMMUNICATIONS. INC. CONCERNING INTERCONNECTION AND **RESALE** UNDER THE TELECOMMUNICATIONS ACT OF 1996 BY METROPOLITAN FIBER SYSTEMS (WORLDCOM); AT&T OF THE SOUTHERN STATES: MCI

TELECOMMUNICATIONS CORPORATION.

Staff requests permission to place an emergency recommendation on the January 20, 1998, Commission Agenda schedule.

On January 2, 1998, the prehearing officer in this Docket issued Order No. PSC-98-0007-PCO-TP, reconsidering and reversing a prior Order from the prehearing officer granting intervention in these proceedings to ACSI. On January 12, 1998, ACSI filed a Petition for Reconsideration and Request for Expedited Ruling. Therein, ACSI has requested that the Commission reconsider the prehearing officer's decision to revoke its party status. ACSI also asks that its petition be addressed at the January 20, 1998, Agenda Conference in view of the fact that the hearing in this Docket is set to begin on January 26, 1998.

Staff believes that in light of the short time frame between the filing and the hearing itself, it would be appropriate for the Commission to take this matter up at the January 20, 1998, Agenda Conference. Staff also believes that it would be better to address this matter <u>prior</u> to the hearing. Staff has prepared a recommendation regarding ACSI's request and will be ready to file it by close of business today if permission is granted.

I support the

BK:bk

cc: Dr. Mary A. Bane, Deputy Director/Technical

Division of Records and Reporting

Division of Legal Services Division of Communications



### -M-E-M-O-R-A-N-D-U-M-

DATE:

January 14, 1998

TO

Blanca Bayo, Director, Records and Reporting

FROM:

Sally Simmons, Bureau Chief, Communications SAS

RE

Reporting Requirement per Section 5.02, A.P.M.

As a follow-up to my January 5, 1998 memo, I wanted to let you know that Dave Dowds has advised Nancy Sims of BellSouth that he is withdrawing from consideration for the position which she had described. I would appreciate it if you would notify the parties as appropriate. If you need anything further, please let me know. Thank you.

C:

Mr. Talbott

Dr. Bane

Mr. D'Haeseleer

### RECEIVED

JAN 14 1998

FPSC - Records/Reporting

RECEIVED

January 14, 1998

JAN 14 1998 /:55 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (B. KEATING)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

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Attached is a <u>NOTICE OF MOTION HEARING</u> to be issued in the above referenced docket. (Number of pages in notice - 2)

BK/bm

Attachment

cc: Division of Communications (Sirianni)

I: 960833hr.bk

ok 79/18 My Harry



### -M-E-M-O-R-A-N-D-U-M-

DATE:

January 14, 1998

TO

Blanca Bayo, Director, Records and Reporting

FROM:

Sally Simmons, Bureau Chief, Communications SAS

RE :

Reporting Requirement per Section 5.02, A.P.M.

As a follow-up to my January 5, 1998 memo, I wanted to let you know that Dave Dowds has advised Nancy Sims of BellSouth that he is withdrawing from consideration for the position which she had described. I would appreciate it if you would notify the parties as appropriate. If you need anything further, please let me know. Thank you.

C:

Mr. Talbott

Dr. Bane

Mr. D'Haeseleer

RECEIVED

JAN 14 1998

FPSC - Records/Reporting

LAW OFFICES

### MESSER, CAPARELLO & SELF

A PROFESSIONAL ASSOCIATION

RECEIVED

JAN 15 1998

FPSC - Records/Reporting

215 SOUTH MONROE STREET, SUITE 701
POST OFFICE BOX 1876

TALLAHASSEE, FLORIDA 32302-1876
TELEPHONE: (904) 222-0720

TELECOPIERS: (904) 224-4359; (904) 425-1942

January 15, 1998

### BY HAND DELIVERY

Ms. Blanca Bayo, Director Division of Records and Reporting Room 110, Easley Building Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

Re: Docket No. 960757-TP, 960833-TP and 960846-TP

Dear Ms. Bayo:

Enclosed are an original and 15 copies of the Late-Filed Deposition Exhibits from the deposition of Mr. David N. Porter, Mr. Porter's Affidavit and Mr. Porter's Errata Sheet in the above-referenced dockets.

Please indicate receipt of this document by stamping the enclosed extra copy of this letter.

Thank you for your assistance in this matter.

M M M	s narles Pellegrini, Esq. ike Twomey, Esq. s. M. R. Sirianni r. Brian Sulmonetti rties of Record	for the second	Sincerely,  Ocerman  Floyd R. Self	Alforda
week ranning that the state of				



-M-E-M-O-R-A-N-D-U-M-

**DATE:** JANUARY 15, 1998

TO: CHAIRMAN JULIA L. JOHNSON

FROM: BETH KEATING A/C MC3

RE: DOCKET NO. 960757-TP, 960833-TP, 960846-TP - PETITIONS FOR

ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED **AGREEMENT** WITH BELLSOUTH TELECOMMUNICATIONS. INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996 BY METROPOLITAN FIBER SYSTEMS (WORLDCOM): AT&T OF THE SOUTHERN STATES: AND **MCI** 

TELECOMMUNICATIONS CORPORATION.

Staff requests permission to place another emergency recommendation on the January 20, 1998, Commission Agenda schedule.

On January 2, 1998, the prehearing officer in this Docket issued Order No. PSC-98-0008-PCO-TP, denying intervention in these proceedings to Sprint, Intermedia, and Time Warner. On January 14, 1998, Sprint filed a Petition for Reconsideration and Request for Expedited Ruling. Therein, Sprint has requested that the Commission reconsider the prehearing officer's decision to deny it party status. Sprint also asks that its petition be addressed at the January 20, 1998, Agenda Conference in view of the fact that the hearing in this Docket is set to begin on January 26, 1998.

Staff believes that in light of the short time frame between the filing and the hearing itself, it would be appropriate for the Commission to take this matter up at the January 20, 1998, Agenda Conference. Staff also believes that it would be better to address this matter prior to the hearing. Staff has prepared a recommendation regarding Sprint's request and will be ready to file it by close of business today if permission is granted. Julian July Start 
BK:bk

cc:

Dr. Mary A. Bane, Deputy Director/Technical

Division of Records and Reporting

Division of Legal Services Division of Communications

### State of Florida



# Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

**DATE:** January 16, 1998

TO: Parties of Record and Interested Persons in Dockets 951560-TP, 960833-TP, 960847-

TP, 970157-TP, 970281-TL, 970604-TP, 970644-TP, and 970744-TP

FROM: Blanca S. Bayó, Director of Records and Reporting 28/2

**RE:** Contact Regarding Employment

Section 5.02 B.1.c. of the Commission's Administrative Procedures Manual requires that all parties and interested persons in affected dockets be notified if a staff member involved in any of those dockets indicates he or she has been approached regarding employment by a party in the dockets.

As a party in the referenced dockets, you were notified by memorandum dated January 6, 1998 that David Dowds, Public Utilities Supervisor in the Division of Communications, had advised the Commission that he was contacted by BellSouth Telecommunications, Inc., regarding employment. Mr. Dowds has now advised the Commission that he has withdrawn his name from consideration for the position with BellSouth.

#### BSB:kf

cc:

Walter D'Haeseleer Sally Simmons William D. Talbott James A. Ward Mary A. Bane Robert D. Vandiver David Dowds



-M-E-M-O-R-A-N-D-U-M-

**DATE:** January 16, 1998

TO: Parties of Record and Interested Persons in Dockets 951560-TP, 960833-TP, 960847-

TP, 970157-TP, 970281-TL, 970604-TP, 970644-TP, and 970744-TP

FROM: Blanca S. Bayó, Director of Records and Reporting 2812

**RE:** Contact Regarding Employment

Section 5.02 B.1.c. of the Commission's Administrative Procedures Manual requires that all parties and interested persons in affected dockets be notified if a staff member involved in any of those dockets indicates he or she has been approached regarding employment by a party in the dockets.

As a party in the referenced dockets, you were notified by memorandum dated January 6, 1998 that David Dowds, Public Utilities Supervisor in the Division of Communications, had advised the Commission that he was contacted by BellSouth Telecommunications, Inc., regarding employment. Mr. Dowds has now advised the Commission that he has withdrawn his name from consideration for the position with BellSouth.

#### BSB:kf

cc:

Walter D'Haeseleer Sally Simmons William D. Talbott James A. Ward Mary A. Bane Robert D. Vandiver David Dowds



-M-E-M-O-R-A-N-D-U-M-

**DATE:** JANUARY 16, 1998

TO: CHAIRMAN JULIA L. JOHNSON

FROM: CHARLES J. PELLEGRINI, STAFF COUNSEL

**RE:** DOCKET NO. 960757-TP, 960833-TP, 960846-TP - PETITIONS FOR

ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED

AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996 BY METROPOLITAN FIBER SYSTEMS (WORLDCOM); AT&T OF THE SOUTHERN STATES; AND MCI

TELECOMMUNICATIONS CORPORATION.

Staff requests permission to place an emergency recommendation on the January 20, 1998, Commission Agenda schedule.

On January 2, 1998, the prehearing officer in this Docket issued Order No. PSC-98-0008-PCO-TP, denying intervention in these proceedings to Time Warner. On January 15, 1998, Time Warner filed a Petition for Reconsideration of Motion for Leave to Intervene or, in the alternative, Motion for Initiation of Generic Docket. Therein, Time Warner has requested that the Commission reconsider the prehearing officer's decision denying it party status.

Staff believes that in light of the short time frame between the filing and the hearing itself, it would be appropriate for the Commission to take this matter up at the January 20, 1998, Agenda Conference. Staff also believes that it would be better to address this matter <u>prior</u> to the hearing. Staff has prepared a recommendation regarding Time Warner's request and will be ready to file it by close of business today if permission is granted.

RECEIVED

JAN 16 1998

FPSC - Records/Reporting

CJP/bm

cc: Dr. Mary A. Bane, Deputy Director/Technical

Division of Records and Reporting

Division of Legal Services
Division of Communications

Julin the

Legal Department

Forwarded CMU

NANCY B. WHITE
Assistant General Counsel-Florida

BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (305) 347-5558

RECEIVED
JAN 2 U 1998

January 20, 1998

FPSC - Records/Reporting

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

RE: Docket Nos. 960833-TP/960846-TP/960757-TP (Cost Dockets)

Dear Ms. Bayo:

Enclosed is an original and fifteen copies of the Late-filed Deposition Exhibit Nos. 1, 2 and 3 for Randall S. Billingsley, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White

**Enclosures** 

CC:

All Parties of Record

A. M. Lombardo

R. G. Beatty

W. J. Ellenberg

### CERTIFICATE OF SERVICE DOCKET NOS. 960833-TP, 960846-TP and 960757-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by

Federal Express this 20th day of January, 1998 to the following:

Monica Barone Charles J. Pelligrini Staff Counsel Division of Legal Services Florida Public Service Comm. 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (850) 413-6187 (850) 413-6250

Tracy Hatch, Esq. (+)
Michael W. Tye, Esq.
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Tallahassee, Florida 32301
Attys. for AT&T
Tel. (850) 425-6364
Fax. (850) 425-6361

Mark A. Logan, Esq. Brian D. Ballard, Esq. Bryant, Miller & Olive, P.A. 201 S. Monroe Street Tallahassee, Florida 32301 Attys. for AT&T Tel. (850) 222-8611 Fax. (850) 224-1544

Richard D. Melson, Esq. Hopping Green Sams & Smith 123 South Calhoun Street P.O. Box 6526 Tallahassee, Florida 32314 Tel. (850) 222-7500 Fax. (850) 224-8551 Atty. for MCImetro Floyd R. Self, Esq. (+)
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Goldman & Metz, P.A.
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Tel. (850) 222-0720
Fax. (850) 224-4359
Atty. for WorldCom, Inc.

Mr. Brian Sulmonetti (+)
Director, Regulatory Affairs
WorldCom, Inc.
1515 South Federal Highway, Suite 400
Boca Raton, FL 33432
Tel. (561) 750-2940
Fax. (561) 750-2629

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Odom & Ervin
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Mr. Thomas K. Bond (+)
MCI Metro Access Transmission
Services, Inc.
780 Johnson Ferry Road
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Atlanta, GA 30342

Brad Mutschelknaus Kelley Drye & Warren, L.L.P. Suite 500 1200 19th Street, N.W. Washington, D.C. 20036

Patrick K. Wiggins Wiggins & Villacorta 501 East Tennessee St. P.O. Drawer 1657 Tallahassee, FL 32302 Atty. for Intermedia

Steve Brown Intermedia Comm. Inc. 3625 Queen Palm Drive Tampa, FL 33610-1309

Peter M. Dunbar, Esq.
Barbard D. Auger, Esq.
Pennington, Moore, Wilkinson & Dunbar, P.A.
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Tel. (850) 222-3533
Fax. (850) 222-2126
Atty. for Time Warner

Carolyn Marek
Vice President of
Regulatory Affairs
Southeast Region
Time Warner Comm.
2828 Old Hickory Boulevard
Apt. 713
Nashville, Tennessee 37221
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Fax. (615) 673-1192

Benjamin Fincher, Esq.
Sprint Communications Company
Limited Partnership
3100 Cumberland Circle
Atlanta, GA 30339

(+) Protective/Non-Disclosure Agreement

Nancy B. White

Legal Department

orwarded Come

NANCY B. WHITE Assistant General Counsel-Florida

BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (305) 347-5558



January 20, 1998

FPSC - Records/Reporting

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

RE: Docket Nos. 960833-TP/960846-TP/960757-TP (Cost Dockets)

Dear Ms. Bayo:

Enclosed is Late-filed Deposition Exhibit Nos. 1, 2, 3, 4, 5, 6, 7 and 8 for G. David Cunningham, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White

Namay B. White (KR)

**Enclosures** 

CC:

All Parties of Record

A. M. Lombardo

R. G. Beatty

W. J. Ellenberg

### CERTIFICATE OF SERVICE DOCKET NOS. 960833-TP, 960846-TP and 960757-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by

Federal Express this 20th day of January, 1998 to the following:

Monica Barone
Charles J. Pelligrini
Staff Counsel
Division of Legal Services
Florida Public Service Comm.
2540 Shumard Oak Boulevard
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Floyd R. Self, Esq. (+)
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Atty. for WorldCom, Inc.

Mr. Brian Sulmonetti (+)
Director, Regulatory Affairs
WorldCom, Inc.
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Fax. (561) 750-2629

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Mr. Thomas K. Bond (+)
MCI Metro Access Transmission
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780 Johnson Ferry Road
Suite 700
Atlanta, GA 30342

Brad Mutschelknaus Kelley Drye & Warren, L.L.P. Suite 500 1200 19th Street, N.W. Washington, D.C. 20036

Patrick K. Wiggins Wiggins & Villacorta 501 East Tennessee St. P.O. Drawer 1657 Tallahassee, FL 32302 Atty. for Intermedia

Steve Brown Intermedia Comm. Inc. 3625 Queen Palm Drive Tampa, FL 33610-1309

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Barbard D. Auger, Esq.
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Fax. (850) 222-2126
Atty. for Time Warner

Carolyn Marek
Vice President of
Regulatory Affairs
Southeast Region
Time Warner Comm.
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Fax. (615) 673-1192

Benjamin Fincher, Esq.
Sprint Communications Company
Limited Partnership
3100 Cumberland Circle
Atlanta, GA 30339

(+) Protective/Non-Disclosure Agreement

NancyB. White

Legal Department

Forwarded Cmu

NANCY B. WHITE Assistant General Counsel-Florida

BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (305) 347-5558

RECEIVED

JAN 2 U 1998

January 20, 1998

FPSC - Records/Reporting

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

RE: Docket Nos. 960833-TP/960846-TP/960757-TP (Cost Dockets)

Dear Ms. Bayo:

Enclosed are Late-filed Deposition Exhibit Nos. 1, 2, 3 and 4 for Alphonso J. Varner, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White

Mancy B. White UKR)

**Enclosures** 

CC:

All Parties of Record

A. M. Lombardo

R. G. Beatty

W. J. Ellenberg

## CERTIFICATE OF SERVICE DOCKET NOS. 960833-TP, 960846-TP and 960757-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by

Federal Express this 20th day of January, 1998 to the following:

Monica Barone Charles J. Pelligrini Staff Counsel Division of Legal Services Florida Public Service Comm. 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (850) 413-6187 (850) 413-6250

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Richard D. Melson, Esq. Hopping Green Sams & Smith 123 South Calhoun Street P.O. Box 6526 Tallahassee, Florida 32314 Tel. (850) 222-7500 Fax. (850) 224-8551 Atty. for MCImetro Floyd R. Self, Esq. (+)
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Mr. Brian Sulmonetti (+)
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Patrick K. Wiggins Wiggins & Villacorta 501 East Tennessee St. P.O. Drawer 1657 Tallahassee, FL 32302 Atty. for Intermedia

Steve Brown Intermedia Comm. Inc. 3625 Queen Palm Drive Tampa, FL 33610-1309

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Barbard D. Auger, Esq.
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(+) Protective/Non-Disclosure Agreement

Nancy B. White



NANCY B. WHITE
Assistant General Counsel-Florida

BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (305) 347-5558

RECEIVED

JAN 21 1998

FPSC - Records/Reporting

January 21, 1998

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

RE: Docket Nos. 960833-TP/960846-TP/960757-TP (Cost Dockets)

Dear Ms. Bayo:

LIN \_\_\_\_\_OPO \_\_\_\_ROH \_\_\_\_SEC \_\_\_\_WAS \_\_\_OTH \_\_\_\_

Enclosed are Late-filed Deposition Exhibit Nos. 1, 2, 3, 4, 5, 6, 7 and 8 for Walter S. Reid, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

FRSO-DUNEAU OF RECORDS



### -M-E-M-O-R-A-N-D-U-M-

DATE: January 21, 1998

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: DOCKET NO. 960757, 833 AND 846-TP, PREHEARING CONFERENCE

HELD 1-14-98

RE: AT&T/BELLSOUTH ARBITRATION

DOCUMENT NO: 01025, 1-16-98

The transcript for the above transcribed hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, CMU

Acknowledged by:

JK/pc

PSC/RAR 28 (Rev7/94)



### -M-E-M-O-R-A-N-D-U-M-

DATE: January 22, 1998

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: DOCKET NO. 960757, 833 AND 846-TP, MOTION HEARING

HELD 1-20-98

RE: AT&T/BELLSOUTH ARBITRATION

DOCUMENT NO: 01178, 1-21-98

The transcript for the above transcribed hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, CMU

Acknowledged by:

JK/pc

PSC/RAR 28 (Rev7/94)

#### MEMORANDUM

RECEIVED

January 22, 1998

JAN 22 1998 FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (B. KEATING)

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS, OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

98-0123-PCO-TP

Attached is an ORDER ON JOINT MOTION TO STRIKE, to be issued in the above referenced docket. (Number of pages in order - 6)

BK/anr Attachment

cc: Division of Communications

I: 960833jo.bk

muled - 12

To Matulda

ORIGINAL

RECEITED PEPARTMENT

NANCY B. WHITE Assistant General Counsel-Florida

BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (305) 347-5558 JAN 23 1998

FPSC - Records/Reporting

January 23, 1998

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

RE: Docket Nos. 960833-TP/960846-TP/960757-TP (Cost Dockets)

Dear Ms. Bayo:

OTH Dy to Matilda

Enclosed is an original Affidavit and Errata Sheet for Randall S. Billingsley and David Cunningham, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

## CERTIFICATE OF SERVICE DOCKET NOS. 960833-TP, 960846-TP and 960757-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by

Federal Express this 23rd day of January, 1998 to the following:

Monica Barone Charles J. Pelligrini Staff Counsel Division of Legal Services Florida Public Service Comm. 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (850) 413-6187 (850) 413-6250

Tracy Hatch, Esq. (+)
Michael W. Tye, Esq.
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Attys. for AT&T
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Fax. (850) 425-6361

Mark A. Logan, Esq. Brian D. Ballard, Esq. Bryant, Miller & Olive, P.A. 201 S. Monroe Street Tallahassee, Florida 32301 Attys. for AT&T Tel. (850) 222-8611 Fax. (850) 224-1544

Richard D. Melson, Esq. Hopping Green Sams & Smith 123 South Calhoun Street P.O. Box 6526 Tallahassee, Florida 32314 Tel. (850) 222-7500 Fax. (850) 224-8551 Atty. for MCImetro Floyd R. Self, Esq. (+)
Messer, Caparello, Madsen,
Goldman & Metz, P.A.
215 South Monroe Street
Suite 701
Tallahassee, FL 32302-1876
Tel. (850) 222-0720
Fax. (850) 224-4359
Atty. for MFS/WorldCom, Inc.

Mr. Brian Sulmonetti (+)
Director, Regulatory Affairs
WorldCom, Inc.
1515 South Federal Highway, Suite 400
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Tel. (561) 750-2940
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Atty. for Sprint

Mr. Thomas K. Bond (+)
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Services, Inc.
780 Johnson Ferry Road
Suite 700
Atlanta, GA 30342

Brad Mutschelknaus Kelley Drye & Warren, L.L.P. Suite 500 1200 19th Street, N.W. Washington, D.C. 20036

Patrick K. Wiggins Wiggins & Villacorta 501 East Tennessee St. P.O. Drawer 1657 Tallahassee, FL 32302 Atty. for Intermedia

Steve Brown Intermedia Comm. Inc. 3625 Queen Palm Drive Tampa, FL 33610-1309

Peter M. Dunbar, Esq.
Barbard D. Auger, Esq.
Pennington, Moore, Wilkinson & Dunbar, P.A.
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Tel. (850) 222-3533
Fax. (850) 222-2126
Atty. for Time Warner

Carolyn Marek
Vice President of
Regulatory Affairs
Southeast Region
Time Warner Comm.
2828 Old Hickory Boulevard
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Nashville, Tennessee 37221
Tel. (615) 673-1191
Fax. (615) 673-1192

Benjamin Fincher, Esq.
Sprint Communications Company
Limited Partnership
3100 Cumberland Circle
Atlanta, GA 30339

(+) Protective/Non-Disclosure Agreement

Nancy B. White

#### MEMORANDUM

February 5, 1998

### RECEIVED

FEB 05 1998 1:40 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (B. KEATING) WG

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS. AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

98-0227-FOF-TP

Attached is an <u>ORDER DENYING PETITION FOR RECONSIDERATION</u>, to be issued in the above referenced docket. (Number of pages in order - 6)

BK/anr

Attachment

cc: Division of Communications

I: 0008.bk

Sut to Roman

#### MEMORANDUM

February 5, 1998

### RECEIVED

FEB 05 1998 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (B. KEATING) N

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

98-0226-FOF-TP

Attached is an <u>ORDER DENYING PETITION FOR RECONSIDERATION</u>, to be issued in the above referenced docket. (Number of pages in order - 7)

BK/anr Attachment

cc: Division of Communications

I: 0007.bk





### -M-E-M-O-R-A-N-D-U-M-

DATE: February 11, 1998

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: DOCKET NO. 960757, 833 and 846-TP, HEARING HELD 1-26 through 1-

28-98

RE: ATT/BELLSOUTH ARBITRATION

DOCUMENT NO: VOLUME 1, 01799, 2-4-98; VOLUME 2, 01800, 2-4-98;

VOLUME 3, 01801, 2-4-98; VOLUME 4, 01802, 2-4-98; VOLUME 5, 01903, 2-5-98; VOLUME 6, 01998, 2-9-98; VOLUME 7, 01999, 2-9-98; VOLUME 8, 02000, 2-9-98; VOLUME 9, 02001, 2-9-98; VOLUME 10, 02002, 2-9-98;

VOLUME 11, 02003, 2-9-98

The transcript for the above transcribed hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, CMU

Acknowledged by:

JK/pc

PSC/RAR 28 (Rev7/94)

Exhs completed except

L-F 27

L-F 62



# RECEIVED Lic Service Commission

FEB 27 1998

FEB 2 6 1998

FPSC - Records/Reporting

-M-E-M-O-R-A-N-D-U-M

DATE:

February 26, 1998

TO

Bill Talbott, Executive Director, Florida Public Service Commission

FROM:

Stan L. Greer, Supervisor, Division of Communications 526

RE

Offer for Employment from BellSouth

As required by Section 5.02(B)(1)(b) of the Florida Administrative Procedures, I am providing you notification of an offer from BellSouth concerning future employment with their company. On February 26, 1998, Ms. Nancy Sims, representative of BellSouth, offered me a position with BellSouth.

#### 2/26/98

#### Walter:

Stan Greer should be prohibited from working on and/or supervising matters, docketed or undocketed, relating to BellSouth.

Please get with Stan and identify any dockets that he is participating in and to which this prospective employer or affiliated company is a party, and request that Records and Reporting notify all interested parties in those dockets.

c:

Mr. Paul Nichols, Chief of Personnel

Dr. Mary Bane, Deputy Executive Director/Technical

Mr. Jack Shreve, Public Counsel

Ms. Blanca Bayo, Director of Records & Reporting



### -M-E-M-O-R-A-N-D-U-M-

**DATE:** March 3, 1998

TO: Parties of Record and Interested Persons in Dockets 951069-TL, 960100-TP, 960757-

TP, 960786-TL, 960833-TP, 961346-TP, 971564-TP, 980024-TP, 980025-TP, 980026-

TP, 980027-TP, 980028-TP, 980029-TP, 980030-TP, 980031-TP, 980032-TP, 980033-

TP, 980034-TP, 980036-TP, 980119-TP, 980201-TP, 980202-TP, 980203-TP, 980204-

TP, 980205-TP, 980206-TP, 980207-TP, 980208-TP, 980209-TP, 980210-TP, 980211-

TP, 980212-TP, and 980213-TP

FROM: Blanca S. Bayó, Director of Records and Reporting

**RE:** Contact Regarding Employment

Section 5.02 B.1.c. of the Commission's Administrative Procedures Manual requires that all parties and interested persons in affected dockets be notified if a staff member involved in any of those dockets indicates that he or she has been approached regarding employment by a party in the dockets.

As a party in the referenced dockets, you are hereby notified that Stan Greer, Utility Systems/Communications Engineer Supervisor in the Division of Communications, has advised the Commission that he was contacted by BellSouth Telecommunications, Inc. regarding employment.

#### BSB:kf

cc:

Walter D'Haeseleer, Director of Communications Sally Simmons, Bureau Chief William D. Talbott James A. Ward

James A. Ward Mary A. Bane

Robert D. Vandiver

Stan Greer



### -M-E-M-O-R-A-N-D-U-M-

**DATE:** April 7, 1998

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: DOCKET NO. 960757, 833 and 846-TP, SPECIAL AGENDA

CONFERENCE HELD 4-6-98

RE: METRO/ATT/MCI/BELLSOUTH ARBITRATION

DOCUMENT NO. 04070, 4-9-98

The transcript for the above transcribed hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, CMU

Acknowledged	by:
Mas	
JK/pc	

PSC/RAR 28 (Rev7/94)

### MEMORANDUM

RECEIVED

April 24, 1998

APR 27 1998 FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (KEATING OK MCB

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS. INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

98-0595-PCD-TP

Attached is an **ORDER DENYING REQUEST FOR APPROVAL OF** INTERPRETATION, to be issued in the above referenced docket. (Number of pages in order - 10)

BK/anr

cc: Division of Communications

I: 9608330i.bk

1 June 2

#### MEMORANDUM

April 29, 1998

RECEIVED

APR 29 1998 3.00 FPSC - Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

C.S

MBAK

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI, B. KEATING)

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

PSC-98-0604-FOF-TP

Attached is a  $\underline{\text{FINAL ORDER ON ARBITRATION}}$ , to be issued in the above referenced docket. (Number of pages in order - 167)

CJP/BK/anr Attachment

cc: Division of Communications

I: 833ord1.cjp

see 10+167

Printed by Brad Martin 5/05/98

3:44pm

From: Brad Martin

To: MAIL @ SMTP {akirby@networkeng.com}

Subject: Final Order for Collocation

Ms. Kirby, I have taken a look at docket 960833 (the primary docket in the consolidation of 960757-TP, 960833-TP, 960846-TP). There has been an order issued, April, 29, 1998, # PSC-98-0604-FOF-TP, "Final Order on arbitration" and can be located on our website.

We appreciate your interested in our website for reference and research purposes. Hopefully, it will become a very valuable tool for all concerned citizens, but I and all of the staff are available via telephone to help if necessary.

Brad Martin bmartin@psc.state.fl.us (850) 413-6762 2540 Shumard Oak Boulevard Tallahassee, Fl 32301

Please give me a call or drop me a line if I can help in any way further.

From: AKIRBY @ SMTP (akirby @ networkeng.com) {akirby@networkeng.com}

To: CAF Internet E-mail

Subject: Final Order for Collocation

Return-Path: <akirby@networkeng.com>

Received: from biz1.mailsrvcs.net (207.115.153.50)

FPSC - Records/Reporting

by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128)

for <CONTACT@PSC.STATE.FL.US>; Mon, 4 May 1998 08:49:56 -0400

Received: from NECI14Ann.FSG-EAST

(1Cust37.max34.boston.ma.ms.uu.net [153.35.86.37])

by biz1.mailsrvcs.net (Post.Office MTA v3.1.2

release (PO203-101c) ID# 0-40549L5000S0) with SMTP id AAA200 for <CONTACT@PSC.STATE.FL.US>; Mon, 4 May 1998 07:50:03 -0500

Received: by localhost with Microsoft MAPI; Mon, 4 May 1998 08:49:51 -0400

Message-ID: <01BD7739.9A237C60.akirby@networkeng.com>

From: Ann Kirby <akirby@networkeng.com>

Reply-To: "akirby@networkeng.com" <akirby@networkeng.com>
To: "'CONTACT@PSC.STATE.FL.US'" <CONTACT@PSC.STATE.FL.US>

Subject: Final Order for Collocation Date: Mon, 4 May 1998 08:49:23 -0400

Organization: Network Engineering Consulting Inc

X-Mailer: Microsoft Internet E-mail/MAPI - 8.0.0.4211

MIME-Version: 1.0

Content-Type: text/plain; charset="us-ascii"

Content-Transfer-Encoding: 7bit

On March 25, the Florida PSC issued a memorandum covering Dockets 960757-TP, 960833-TP, 960846TP. With this memorandum, the Commission voted to accept the Commission Staff's recommendations for the above dockets. Has a final order been issued? If so, what is its number. If I know this, I can seek it out on your Web site.

I have used your Web site to obtain information. It has been a great source of information.

Thanks for your assistance in this matter.

Ann Kirby 781-297-2561

phinis lat

#### MEMORANDUM

May 5, 1998

MAY -7 1998

FPSC-Records/Reporting

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (PELLEGRINI)

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

PSC-98-0604A-FOF-TP

Attached is an  $\underline{\text{AMENDATORY ORDER}}$  to be issued in the above-referenced docket. (Number of pages in order - 2)

CJP/slh
Attachment
cc: Division of Communications
I:960833tw.cjp

22 fax

#### MEMORANDU M

June 25, 1998



TO:

DIVISION OF RECORDS AND REPORTING

MCB

FROM:

DIVISION OF LEGAL SERVICES (KEATING/PELLEGRINI)

RE:

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

98-0844-FOF

Attached is an Order on Reconsideration to be issued in the above-referenced dockets. (Number of pages in order - 9)

BK/CJP/slh Attachment

cc: Division of Communications

I:960833or.cjp

faveil - 2/4 queiled -



-M-E-M-O-R-A-N-D-U-M-

DATE: August 6, 1998

TO: Parties of Record and Interested Persons in Dockets 920260-TL, 950737-TP, 950778-

TL, 950985-TP, 951069-TL, 960100-TP, 960757-TP, 960786-TL, 960833-TP, 960846-

TP, 961346-TP, 970730-TP, and 980671-TL

FROM: Blanca S. Bayó, Director of Records and Reporting

RE: Contact Regarding Employment

Section 5.02 B.1.c. of the Commission's Administrative Procedures Manual requires all parties and interested persons in affected dockets to be notified if a staff member involved in any of those dockets indicates he or she has been approached regarding employment by a party in the dockets.

As a party in the referenced docket(s), you are hereby notified that Maryrose Sirianni, Supervisor in the Division of Communications, has advised the Commission that she was contacted by BellSouth Telecommunications, Inc. regarding employment.

#### BSB:kf

cc:

Walter D'Haeseleer Sally Simmons William D. Talbott James A. Ward Mary A. Bane Robert D. Vandiver Maryrose Sirianni

#### STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING BLANCA S. BAYÓ DIRECTOR (850) 413-6770

### Public Service Commission

September 2, 1998

VIA CERTIFIED MAIL NO. 98-743

Rodney Hyatt, Assistant General Counsel DeltaCom, Inc. 700 Boulevard South, Suite101 Huntsville, Alabama 35802

Re: Docket No. 961038-TX - DeltaCom, Inc. (Confidential Filing)

Dear Mr. Hyatt:

Commission staff have advised that confidential Document No. 09421-96, filed September 4,2. 1996 on behalf of DeltaCom, Inc., can be returned to the source.

Please do not hesitate to call if you have any questions concerning this matter.

Sincerely,

Kay Flynn, Chief Bureau of Records

Kay Jeyn

Enclosure

cc: Division of Communications

#### MEMORANDUM

September 18, 1998

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (BROWN) NOS

RE:

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

PSC-98-1228-CFO-TP

Attached is an <u>PROTECTIVE ORDER GRANTING REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR DOCUMENT NO. 13083-97 (CROSS-REFERENCE DOCUMENT NO. 12622-97)</u>, to be issued in the above-referenced docket. (Number of pages in order -4)

MCB/anr Attachment

cc: Division of Communications

I: 960833cf.mcb

FARID John

NO.014

002

NANCY B. WHITE

14:50

Assistant General Counsel-Florida

BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (305) 347-5558 Legal Department

960833

September 18, 1998

### VIA FACSIMILE

Ms. Kay Flynn Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399

Dear Ms. Flynn:

BellSouth agrees to allow the Office of Public Counsel obtain a copy of the document labeled 13083-97 (X-Ref DN 12622-97). BellSouth considers this information to be proprietary. The Office of Public Counsel has agreed to treat the information accordingly.

Sincerely,

Nancy B. White

cc: Ms. Beth Keating Mr. Charlie Beck

#### STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.



Division of Records & Reporting Blanca S. Bayó Director (850) 413-6770

### Public Service Commission

September 18, 1998

Mr. Charlie Beck Office of the Public Counsel c/o The Florida Legislature 111 West Madison Street, No. 812 Tallahassee, Florida 32301

Re: Docket No. 960833-TP - Confidential Document No. 13083-97

Dear Mr. Beck:

In accordance with your request, and pursuant to BellSouth's letter agreeing to allow the Office of Public Counsel to obtain a copy of confidential Document No. 13083-97 from the Commission's confidential files, I am enclosing a copy of the document. I have also enclosed a copy of Protective Order PSC-98-1228-CFO-TP, issued today, regarding confidentiality of 13083-97 (cross-reference 12622-97).

Sincerely,

Kay Flynn, Chief Bureau of Records

Kay Hem

:KEF Enclosure

cc: Martha Brown
Beth Keating
Nancy B. White
Blanca S. Bayó

hand-delivered to OPC/Baer 9/18/98

14

NANCY B. WHITE

Assistant General Counsel-Flerida AM 11: 42

BellSouth Telecommunications, Inc. 150 South Monroe Street RECORDS AND Room 400

Tallahassee, Florida 32301 REPORTING

(305) 347-5558

SERVICE COMMISSION

September 18, 1998

### **VIA FACSIMILE**

Ms. Kay Flynn Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399

960833-78

Dear Ms. Flynn:

BellSouth agrees to allow the Office of Public Counsel obtain a copy of the document labeled 13083-97 (X-Ref DN 12622-97). BellSouth considers this information to be proprietary. The Office of Public Counsel has agreed to treat the information accordingly.

Sincerely,

cc: Ms. Beth Keating Mr. Charlie Beck

MEMORANDUM RECEIVED-FPSC

OCTOBER 23, 1998 98 OCT 23 PM 12: 05

RECORDS AND

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (B. KEATING)

RE:

DOCKET NOS. 960757-TP - PETITION BY METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC. FOR ARBITRATION WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION RATES, TERMS, AND CONDITIONS, PURSUANT TO THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.

960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS. INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

PSC-98-0604B-FOF-TP

Attached is an AMENDATORY ORDER, to be issued in the abovereferenced docket. (Number of pages in order - 2)

BK/anr Attachment

cc: Division of Communications

I: 960833a2.bk

Spe 2

RECEIVED-FPSO

#### MEMORANDUM

January 4, 1999

99 JAN - 5 PM 1:56

RECORDS AND REPORTING

TO:

DIVISION OF RECORDS AND REPORTING

FROM:

DIVISION OF LEGAL SERVICES (B. KEATING)

RE:

DOCKET NO. 960833-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS

ACT OF 1996.

DOCKET NO. 960846-TP - PETITION BY MCI TELECOMMUNICATIONS CORPORATION AND MCI METRO ACCESS TRANSMISSION SERVICES, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

Attached is an ORDER APPROVING AMENDMENTS TO ARBITRATED AGREEMENTS, with attachments, to be issued in the above-referenced market. docket. (Number of pages in order - 18)

BK/anr Attachment

cc: Division of Communications

I: 960833fo.bk

get 3

ATTACHMENT(S) NOT ON-LINE

#### STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF LEGAL SERVICES NOREEN S. DAVIS DIRECTOR (850) 413-6199

### Public Service Commission

March 3, 1999

RECOPUS AND REPORTING

RECEIVED + FOO

Nancy B. White, Esquire General Counsel-Florida 150 West Flagler Street, Suite 1910 Miami, Florida 33130

Re: Requests to Appear as Qualified Representative

Dear Ms. White:

We are in receipt of your letters dated February 16, 1999, requesting to appear as a Qualified Representative on behalf of BellSouth Telecommunications, Inc. in dockets before this Commission. Upon review of the requests in Dockets Nos. 960833-TP, 970722-TP, 971044-TP, and 971314-TP, the dockets are closed; thus the requests to appear as Qualified Representative are no longer necessary. Accordingly, unless we hear from you otherwise, no action will be taken regarding your requests in these dockets. With regard to your other requests to appear as Qualified Representative, the requests are being processed.

We appreciate your cooperation as we work through implementation of the requirements of the new Uniform Rules. If we can be of assistance to you in any way, please advise.

		Sincerel	у,
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AFA	without extend and a new controlled adversigition.		4//////////////////////////////////////
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CAF	että artavallen yyvintäinä ja tääsia tavatallataisia tiin 1907.	Paralega	1
СМИ	ALC/dr		
CTR	ALC/ UI		
EAG	cc:	Division of Records and Reporting	
EG	тите типостронализменторую дейт	Division of Legal Services (Brown)	
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DPC .	and distance to the growth of the control control of the property of the control		
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CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

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PSC Website: www.scri.net/psc

OTH

Internet E-mail: contact@psc.state.fl.us

#### STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



Division of Records & Reporting Blanca S. Bayó Director (850) 413-6770

### Public Service Commission

July 23, 1999

Robert A. Mossing, Clerk United States District Court United States Courthouse 110 East Park Avenue Room 122 Tallahassee, Florida 32301

Re: Case No. 4:97CV262-RH - AT&T Communications of the Southern States, Inc. vs. the Florida Public Service Commission and BellSouth Telecommunications, Inc. (Docket No. 960833-TP)

Dear Mr. Mossing:

The record in the above-referenced case, consisting of 45 pouches of material in eight boxes, is forwarded for filing in the Court. A copy of the index is enclosed for your use. Please initial and date the copy of this letter to indicate receipt.

Do not hesitate to call me at 413-6744 if you have any questions about the contents of this record.

Sincerely,

Kay Flynn, Chief

Bureau of Records

Attachment

cc:

David Smith

Mark K. Logan William W. Deem

PSC Website: www.scri.net/psc

Internet E-mail: contact@psc.state.fl.us

### UNITED STATES DISTRICT COURT CASE NO. 4:97CV262-RH

#### AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.

-VS-

#### BELLSOUTH TELECOMMUNICATIONS, INC.

and

## FLORIDA PUBLIC SERVICE COMMISSION DOCKET NO. 960833-TP

<u>Document Description</u> <u>Document No.</u>				
Petition by AT&T Communications of the Southern States, Inc. (AT&T) for arbitration with BellSouth Telecommunications, Inc. (BellSouth) concerning interconnection and resale under the Telecommunications Act of 1996, filed July 17, 1996				
POUCH 2				
Volume I of documentation supporting petition, filed July 17, 1996				
POUCH 3				
Volume II of documentation supporting petition, filed July 17, 1996 07458-96				
POUCH 4				
Volume III of documentation supporting petition, filed July 17, 1996 07459-96				
POUCH 5				
Volume IV of documentation supporting petition, filed July 17, 1996 07460-96				
POUCH 6				
Volume V of documentation supporting petition, filed July 17, 1996 07461-96				
POUCH 7				
Volume VI of documentation supporting petition, filed July 17, 1996 07462-96				

Volume VII of documentation supporting petition, filed July 17, 1996 07463-96				
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#### STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING BLANCA S. BAYÓ DIRECTOR (850) 413-6770

### Public Service Commission

July 23, 1999

Robert A. Mossing, Clerk United States District Court United States Courthouse 110 East Park Avenue Room 122 Tallahassee, Florida 32301

Re: Case No. 4:97CV262-RH - AT&T Communications of the Southern States, Inc. vs. the Florida Public Service Commission and BellSouth Telecommunications, Inc. (Docket No. 960833-TP)

Dear Mr. Mossing:

The record in the above-referenced case, consisting of 45 pouches of material in eight boxes, is forwarded for filing in the Court. A copy of the index is enclosed for your use. Please initial and date the copy of this letter to indicate receipt.

Do not hesitate to call me at 413-6744 if you have any questions about the contents of this record.

Sincerely,

Kay Flynn, Chief Bureau of Records

Attachment

cc:

David Smith

Mark K. Logan William W. Deem OFFICE OF CLERK
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NORTHERY DIST. FLA
TALLAMASSEE, FLA.

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### Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

960833-TP

DATE: September 29, 2000

TO: J. TERRY DEASON, CHAIRMAN

E. LEON JACOBS, COMMISSIONER

LILA A. JABER, COMMISSIONER BRAULIO L. BAEZ, COMMISSIONER

WILLIAM TALBOTT, EXECUTIVE DIRECTOR

JAMES WARD, DEPUTY EXECUTIVE DIRECTOR/ADM.

MARY BANE, DEPUTY EXECUTIVE DIRECTOR/TECH.

CATHY BEDELL, GENERAL COUNSEL

NOREEN DAVIS, DIRECTOR OF LEGAL SERVICES

TIM DEVLIN, DIRECTOR OF ECONOMIC REGULATION

WALTER D'HAESELEER, DIRECTOR OF COMPETITIVE SERVICES

BEV DEMELLO, DIRECTOR OF CONSUMER AFFAIRS

DAN HOPPE, DIRECTOR OF REGULATORY OVERSIGHT.

BLANCA BAYO, DIRECTOR OF RECORDS & REPORTING

CHUCK HILL, DIRECTOR OF POLICY ANALYSIS & INTERGOVERNMENTAL

FROM: DAVID E. SMITH; DIRECTOR OF APPEALS

RE: AT&T v. BELLSOUTH AND FLORIDA PUBLIC SERVICE COMMISSION, CASE

NO. 4:97 CV 262-RH (N. D. FLA. SEPTEMBER 29, 2000)

The United States District Court for the Northern District of Florida has issued its opinion in the above case. The essential findings of the Court are as follows:

- 1. Since the FCC's controlling TELRIC methodology was invalidated by the Eighth Circuit, the Commission's TSLRIC pricing methodology is "an acceptable administrative interpretation of the Act" (p.15) and is thus valid.
- 2. The Commission erred in allowing BellSouth's "per message" charge of \$.0175 on the initial minute of the local switching network element charge. P.16. Contrary to the Commission's position in its orders, AT&T did properly raise the issue, and the Arbitration Order does not demonstrate that the Commission properly determined that the charge was "based on cost" as the Act requires. PP. 16-21. The Commission is directed to reconsider or explain its decision on the issue. P. 21.

- 3. The Commission's use of statewide average rates in setting UNE prices was not error, but given the reinstatement of the FCC's rule on deaveraging and the agency's subsequent lifting of the interim stay of deaveraging, the Commission should reconsider its decision "to assure that it does not produce results inconsistent with the Act." P. 27.
- 4. The Commission was wrong in not removing operator services costs from the resale rate for local service. The Court reasoned that since the Act required BellSouth to provide customized routing to AT&T operators, this was the "functional equivalent" of requiring BellSouth to provide AT&T local service without operator services." P. 29. Moreover, the Court reasoned that, under the Act, operator services are collateral to the actual local service sought, much as are billing services, which are excluded from wholesale costs under the FCC's interpretation of the Act. P. 29-30. The Commission is directed to reconsider matter.
- 5. On the issue of BellSouth's objection to the requirement to provide combination of UNEs that recreate a service, the Court found the Commission was correct as the FCC and courts have interpreted the Act. The Court notes that the Commission did not address whether BellSouth had to do the combining of the UNEs but found that since now-invalidated rule 47 C.F.R. §51.315(c) was implicated in the Commission's order, the Commission must reconsider the matter. P. 32-35. This conclusion is apparently founded in the Court's belief that the Commission's order could fairly be read to require BellSouth to do the combining of UNEs, a position to which BellSouth has consistently objected. P. 34.

For whatever comfort it may provide the Commission, the Court takes note of the difficulty of making meaningful rulings in the ever changing world of telecommunications. As it did in its early MCI ruling, the Court characterizes the process as shooting at a "moving target" whose gyrations are driven by "evolving judicial, administrative and technological developments in the telecommunications field." P. 9.

A copy of the opinion and judgment are attached.

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA TALLAHASSEE DIVISION

AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.,

Plaintiff,

v.

CONSOLIDATED
CASE NO. 4:97cv262-RH

BELLSOUTH TELECOMMUNICATIONS, INC., et al.,

Defendants.

#### ORDER ON MERITS

These consolidated actions present a challenge under the Telecommunications Act of 1996, 47 U.S.C. §§ 251-52, to a decision of the Florida Public Service Commission with respect to the terms and conditions under which the defendant incumbent local exchange carrier must provide services and make facilities and network elements available.

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to the plaintiff competitor. I uphold the Florida

Commission's basic pricing methodology but vacate its

decision in certain respects for further explanation or

consideration.

#### Background - The Statutory Framework

Historically, local telephone service was provided in the United States on a monopoly basis by carriers regulated under state law by state public service commissions.

Congress fundamentally changed that approach by enacting the Telecommunications Act of 1996. The Act imposes on local carriers, as a matter of federal law, various duties designed to foster competition. The Act allows state commissions the option of taking a major role in implementing the Act's requirements.

The federal duties imposed on each "incumbent local exchange carrier" - that is, on each carrier who previously provided local service on a monopoly basis - include the obligation to sell local services at wholesale to any competing carrier for resale by the competing carrier to

customers, the obligation to allow competitors to interconnect with the incumbent's facilities for the purpose of providing services to the competitor's own customers, and the obligation to make certain "network elements" - parts of its telecommunications system - available to competing carriers for their use in providing service to their own customers. These duties are described in greater detail in MCI Telecomms. Corp. v. BellSouth Telecomms. Inc., 2000 WL 1239840 (N.D. Fla. 2000).

The Act also imposes on each incumbent the duty to negotiate in good faith with any requesting carrier on the terms and conditions of an agreement under which these various duties will be fulfilled. See 47 U.S.C. § 251(c)(1). The Act likewise imposes on requesting carriers the duty to negotiate in good faith. Id.

If the parties reach a negotiated agreement, it must be submitted to the state commission for approval. See 47 U.S.C. § 252(e)(1). If the parties fail to agree on all terms and conditions, any party to the negotiation may request binding arbitration before the state commission of

"any open issues." 47 U.S.C. § 252(b)(1).1

The Act provides for judicial review of the commission's decisions in federal district court. See 47 U.S.C. § 252(e)(6). The case at bar is an action for judicial review under this provision.

#### Background - The Case at Bar

("BellSouth") is the incumbent local exchange carrier in parts of the State of Florida. Plaintiff AT&T

Communications of the Southern States, Inc. ("AT&T") is a competitor. In accordance with the Telecommunications Act of 1996, BellSouth and AT&T entered negotiations for an agreement under which AT&T would purchase certain services for resale, would interconnect with BellSouth's facilities, and would have access to BellSouth's network elements. They were unable to agree on all terms and conditions of an

<sup>&</sup>lt;sup>1</sup> If the state commission chooses not to act on either a negotiated agreement or request for arbitration, the Federal Communications Commission must assume the responsibilities of the state commission. <u>See</u> 47 U.S.C. § 252(e)(5).

agreement and thus sought and obtained arbitration before
the Florida Public Service Commission. Following an
evidentiary hearing, the Florida Commission issued a final
arbitration order and, in due course, an order on
reconsideration. AT&T now brings this action challenging
the Florida Commission's decision in certain respects, and
BellSouth counterclaims challenging the decision in another
respect. AT&T has named as additional defendants the
Commissioners of the Florida Public Service Commission, in
their official capacities.<sup>2</sup>

More specifically, AT&T challenges the overall pricing methodology employed by the Florida Commission to set the rates for network elements; the imposition of an allegedly excessive "per message" charge for the local switching network element; the use of statewide averaged rates for the local loop network element rather than deaveraged rates

<sup>&</sup>lt;sup>2</sup> Such an action for judicial review of a state commission's decision may proceed against the individual commissioners in their official capacities in accordance with Ex Parte Young, 209 U.S. 123, 28 S. Ct. 441, 52 L. Ed. 714 (1908), and thus is not barred by the Eleventh Amendment. See MCI Telecommunications Corp. v. BellSouth Telecommunications, Inc., 1997 WL 1133453 (N.D. Fla. 1997).

reflecting geographic disparities in actual costs; and the adoption of wholesale rates for services sold to AT&T for resale that fail to eliminate costs of operator services provided by BellSouth to retail customers but not ordered by AT&T. In its counterclaim, BellSouth challenges the Florida Commission's treatment of the combining of network elements for sale as complete service. This order addresses these five issues in turn.<sup>3</sup>

The parties have agreed that this court's review should be conducted based solely on the record as compiled in the Florida Commission. The parties have submitted briefs and presented oral argument, and more recently have submitted supplemental briefs addressing the decision of the United States Supreme Court in AT&T Corp. v. Iowa Utilities Bd., 525 U.S. 366, 119 S. Ct. 721, 142 L. Ed. 2d 835 (1999). This order constitutes the court's ruling on the merits.

I uphold the Florida Commission's overall pricing

<sup>&</sup>lt;sup>3</sup> AT&T initially also raised an issue concerning terminating switched access charges. The Florida Commission asserted it had not addressed that issue and that the issue was not properly before the court. AT&T has explicitly withdrawn this issue from those it seeks to present in this action. (Decument 78.)

methodology. Conclude that the Flori Commission must further explain or reconsider the per message charge. I uphold the decision to use statewide averaged rates for local loops on a temporary basis but require further consideration regarding the relationship of that decision to the May 1, 2000, effective date of a Federal Communications Commission regulation requiring deaveraging. I disapprove the Florida Commission's failure to deduct from wholesale rates the avoided costs of operator services. Finally, I conclude that the Florida Commission must reconsider its treatment of the combining of network elements in light of intervening developments.

#### Standard of Review

The Telecommunications Act provides for actions such as the case at bar in a single sentence:

In any case in which a State commission makes a determination under [the Act], any party aggrieved by such determination may bring an action in an appropriate Federal district court to determine whether the agreement or statement meets the requirements of [the Act].

47 U.S.C. § 252(e)(6). The Act does not further specify the standard of review to be applied in determining "whether the agreement . . . meets the requirements of" the Act.

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For the reasons set forth at length in MCI Telecomms.

Corp. v. BellSouth Telecomms., Inc., 2000 WL 1239840 (N.D.

Fla. 2000), I will review de novo issues regarding the meaning and import of the Telecommunications Act, and I will review state commission determ ations of how to implement the Act as so construed only under the arbitrary and capricious standard. This apparently is the standard of review advocated by all parties to this proceeding.

#### Merits

I addressed two of the issues presented by the case at bar in MCI Telecomms. Corp. v. BellSouth Telecomms., Inc., 2000 WL 1239840 (N.D. Fla. 2000). That action was a challenge to the Florida Commission's rulings on issues

<sup>\*</sup>The "agreement" to which this provision applies is an interconnection agreement of the type here at issue. The "statement" to which this provision applies is a statement of a Bell operating company of generally available terms under See 47 U.S.C. § 252(f). No such statement is involved here.

presented for arbitration by BellSouth and a different competitor, MCI. I disapproved the Florida Commission's decision on the issue of general pricing methodology and upheld the decision with respect to the combining of network elements. The ruling was based on then-controlling regulations of the Federal Communications Commission. Had the law not changed, in the case at bar I would simply follow my MCI decision on these issues.

But the law has changed. The FCC regulations I relied on in MCI have been invalidated by a controlling decision of the United States Court of Appeals for the Eighth Circuit, which has exclusive jurisdiction to determine the validity of those regulations, subject only to discretionary review by the United States Supreme Court. See 28 U.S.C. § 2342. This development underscores the accuracy (and perhaps too-prophetic nature) of the statement I made in MCI:

The rapidly evolving judicial, administrative and technological developments in the telecommunications field render the task of the Florida Commission (and this court on review) somewhat akin to shooting at a moving target, one whose movements are neither constant nor predictable.

MCI Telecomms. Corp. v. BellSouth Telecomms., Inc., 2000 WI 1239640 at n.10 (N.D. Fla. 2000). My decision in MCI is now on appeal to the United States Court of Appeals for the Eleventh Circuit, where it presumably will be reversed in relevant part, based on the Eighth Circuit's ruling, unless the Eighth Circuit reconsiders its ruling or the Supreme Court grants certionar, and the target moves with ain.

So that there will be a clear record of the movement of the target and its current location as this order is issued, I recount the chronology. On August 8, 1996, the FCC issued its First Report and Order, announcing regulations on some of the topics now at issue. See First Report and Order, In the Matter of Implementation of Local Competition Provisions in the Telecommunications Act of 1996, 11 F.C.C.R. 15,499 (1996). On September 27, 1996, the Eighth Circuit stayed some of the regulations; this was prior to their proposed effective date. On various dates between December 31, 1996 and June 19, 1997, while the stay was in place, the Florida Commission entered the orders now under review in the case

at bar, following FCC regulations that had not been stayed but exercising its own independent judgment on issues addressed by FCC regulations that had been stayed. On July 18, 1997, the Eighth Circuit issued its decision invalidating certain of the FCC's regulations. See Iowa Utilities Bd. v. Bell Atlantic Corp., 120 F.3d 753, 300 (8th Cir. 1997). On January 26, 1998, the United States Supreme Court granted certiorari. I delayed any ruling pending issuance of the Supreme Court's decision. On January 25, 1999, the Supreme Court reversed the Eighth Circuit in certain respects and remanded for further proceedings, thus leaving the FCC regulations now at issue in effect, pending further consideration by the Eighth Circuit. See AT&T Corp. v. Iowa Utilities Bd., 525 U.S. 366, 119 S. Ct. 721, 142 L. Ed. 2d 835 (1999). The parties requested and were granted leave to submit supplemental briefs in the case at bar addressing the Supreme Court's decision. On June 6, 2000, I issued my ruling in MCI, treating the relevant FCC regulations as binding; as of that date, they stood neither stayed nor invalidated. On July 18, 2000, the Eighth

Circuit issued its opinion on remand, again invalidating some of the FCC regulations. See Iowa Utilities Bd. v. FCC, 219 F.3d 744 (8th Cir. 2000). At this writing, this most recent Eighth Circuit decision is the controlling law.

This order addresses the Florida Commission decision as appropriate in light of these developments.

#### I. PRICING METHODOLOGY

The Telecommunications Act directs state commissions to set "just and reasonable" prices for interconnection and network elements "based on the cost (determined without reference to a rate-of-return or other rate-based proceeding) of providing the interconnection or network element." 47 U.S.C. § 252(d)(1). All parties to this action apparently agree that this means prices must be based on the cost that reasonably would be incurred to provide the service or network element at issue prospectively, not the cost that may have been incurred historically but would not reasonably be incurred to provide the service or network element prospectively. As the parties have said, prices

must be based on "forward-looking," not historical, cost.

The parties disagree, however, on the proper method of calculating "forward-looking" cost. AT&T advocates the use of Total Element Long-Run Incremental Cost ("TELRIC"), the methodology mandated by FCC regulations. See 47 C.F.R. §§ 51.505, 51.511. The Florida Commission addressed the matter independently, without regard to the FCC regulations, which had been stayed when the Florida Commission acted and now stand invalidated by the Eighth Circuit. See Iowa Utilities Bd. v. FCC, 219 F.3d 744 (8th Cir. 2000). The Florida Commission adopted a different methodology known as Total Service Long-Run Incremental Cost ("TSLRIC").

The essential difference between the FCC's "TELRIC" method and the Florida Commission's "TSLRIC" method lies in their treatment of the existing network structure of the incumbent local exchange carrier at issue. While the Florida Commission's version of TSLRIC uses the current network architecture and future replacement technology as the basis for determining long-run incremental cost, TELRIC assumes only that the existing wire centers are in place and

then builds a <u>hypothetical</u>, <u>efficient network</u> around them.

<u>See</u> 47 C.F.R. §§ 51.503, 51.505.

In MCI Telecomms. Corp. v. BellSouth Telecomms., Inc., 2000 WL 1239840 (N.D. Fla. 2000), after describing these different positions of the Florida Commission and FCC, I concluded:

Reasonable arguments can be made either way. Congress has not definitively resolved the issue. This is, therefore, an issue on which the appropriate administrative agency's adoption of either methodology would survive judicial review under the applicable arbitrary and capricious standard.

MCI Telecomms. Corp. v. BellSouth Telecomms., Inc., 2000 WL 1239840 at \*5 (N.D. Fla. 2000). I concluded that the FCC's view, not the Florida Commission's, must prevail, because, as of that time, the FCC's regulations had not been invalidated by the only court with jurisdiction to review them - the Eighth Circuit - and thus were the law of the land.

Now, as set forth above, the Eighth Circuit has invalidated the FCC regulations. On the Eighth Circuit's

now-controlling view, the FCC's TELRIC methodology contravenes the plain language of the Act. This does not undermine, but instead further supports, my conclusion as set forth in MCI that the Florida Commission's TSLRIC approach is an acceptable administrative interpretation of the Act that would survive review under the arbitrary and capricious standard. But for the FCC's regulations, I would have upheld the Florida Commission's decision from the outset. AT&T's challenge to the Florida Commission's adoption of the TSLRIC methodology thus will be rejected. 5

<sup>5</sup> The Eighth Circuit's ruling is binding to the extent it invalidates the FCC regulations. Technically, this leaves the situation as if the FCC had adopted no regulations at all. When reviewing a Florida Commission decision under the Telecommunications Act of 1996 in the absence of FCC regulations, an opinion of the Eighth Circuit ordinarily would not be binding. Whether an Eighth Circuit decision should be deemed binding in these circumstances after invalidation of an FCC regulation by the Eighth Circuit, during resulting review of a Florida Commission decision in the absence of any valid FCC regulation - is a nice question that need not be addressed here. My conclusion, whether the Eighth Circuit's decision is deemed binding on this issue or not, is that the Florida Commission's TSLRIC methodology does not violate the Act and is not arbitrary and capricious.

#### II. PER MESSAGE CHARGES

AT&T next contends that the Florida Commission erred by imposing a "per message" charge as part of the initial minute local switching network element charge. (Complaint, ¶ 38). Included in the rates for network elements which were approved by the Florida Commission was an initial minute fee for end office switching of \$.0175, whereas the fee for additional minutes was set at \$.005. (Arbitration Order, Attachment A, at 114). This in effect imposed a \$.0125 per message charge.

The specific rates for network elements adopted by the Florida Commission, including this initial minute fee for end office switching, were designed to cover "BellSouth's TSLRIC costs and provide some contribution toward joint and common costs." (Arbitration Order at 33). The Florida Commission made no effort to explain specifically the reason for the per message charge or the level at which it was set.

AT&T challenges the per-message charge based in part on the use of the TSLRIC methodology. As set forth above, however, the Florida Commission's adoption of TSLRIC was

unobjectionable.

AT&T's remaining challenge is a disagreement with the appropriateness of any per-message charge over and above a time-based usage charge and, even if a per-message charge is deemed appropriate, with the amount of the charge imposed by the Florida Commission. In response, BellSouth and the Florida Commission assert that AT&T failed properly to raise this issue before the Commission. BellSouth makes no argument on the merits in support of the charge, and the Florida Commission addresses the merits only in passing.

The assertion that AT&T did not properly raise this issue before the Florida Commission is incorrect. AT&T proposed rates reflecting no per message charge. AT&T objected to BellSouth's rates, including the per message charge, in part on the grounds that BellSouth had provided insufficient cost information in support of its proposed rates. As an example of the insufficiency of BellSouth's data, AT&T specifically cited the per-message charge. When the Florida Commission sided with BellSouth, AT&T challenged the ruling by motion for reconsideration, and AT&T supported

official in another state apparently acknowledging that there was no cost-based reason for imposing a per-message charge. In short, AT&T unsuccessfully proposed rates with no per-message charge, challenged BellSouth's proposed rates including the per-message charge, specifically raised the per-message issue on reconsideration, and has never, in any way, acquiesced in the substantial per-ssage charge adopted by the Florida Commission.

On the merits, the Florida Commission has provided insufficient explanation for its decision to allow meaningful review. The appropriate course thus is to direct the defendant Commissioners to explain or further consider their decision. See, e.g., Checkosky v. SEC, 23 F.3d 452, 462-63 (D.C. Cir. 1994) (remanding insufficiently explained administrative decision "so as to afford the agency an opportunity to set forth its view in a manner that would permit reasoned judicial review"; so holding even in the absence of any conclusion that the agency acted arbitrarily or capriciously); SEC v. Chenery Corp., 318 U.S. 80, 94, 63

S. Ct. 454, 87 L. Ed. 626 (1943) (recognizing that "courts cannot exercise their duty of review unless they are advised of the considerations underlying the action under review").

This conclusion draws support not only from the Florida Commission's failure fully to explain its decision but also from the potential importance of this type decision to the effective implementation of the Telecommunications Act of 1996. Under the Act, an incumbent must provide to any requesting carrier nondiscriminatory access to "network elements" on an unbundled basis, on "rates, terms and conditions that are just, reasonable, and nondiscriminatory," 47 U.S.C. § 251(c)(3), at least when access to such network elements is "necessary" (in the case of proprietary network elements) or when failure to provide such access would "impair" the requesting carrier's ability to provide services (in the case of non-proprietary network elements). See 47 U.S.C. § 251(d)(2). The "just," reasonable and nondiscriminatory" rates for network elements must be "based on the cost (determined without reference to a rate-of-return or other rate-based proceeding) of

providing the . . . network element. 47 U.S.C. § 30

Congress imposed these standards because, if an incumbent's rate for a network element is set unreasonably high, the duty to provide access to that network element may, as a practical matter, become meaningless. AT&T is clearly correct that a sufficiently inflated per-message charge could be adopted by a state commission to undermine the requirements of the Act.

This is, therefore, an issue on which review in this court is properly available, albeit under the arbitrary and capricious standard. A state commission's decision regarding pricing levels is entitled to substantial deference, but it is not entitled to blind obeisance.

Because of the appropriateness of meaningful review on this issue, a state commission must explain the exercise of its discretion in sufficient detail to allow a reviewing court to confirm that the commission in fact exercised its discretion on this issue and did so for legitimate reasons, not for the purpose or with the effect of undermining the

network elemen provisions of the Act.

As this matter now stands, I cannot say that the Florida Commission based the per-message charge on cost (as required by the Act) or that, as a matter of administrative judgment based on the evidence of record, it properly found the per-message charge to be "just, reasonable and nondiscriminatory." The defendant Commissioners thus will be directed to explain or reconsider their decision on this issue.

### III. GEOGRAPHIC DEAVERAGING

The cost of providing local telecommunications service is higher in some places than in others. Thus, for example, it apparently is accepted — and the parties in this case seem to acknowledge — that the cost of providing a local loop to a business in a densely populated urban area is less than the corresponding cost of providing a loop to a residence in a sparsely populated rural area.

Historically, however, incumbent local exchange carriers have charged retail customers geographically

averaged rates, at least to some extent. This generally has a second sec

AT&T asserts that under the Telecommunications Act of 1996, incumbents should not be allowed to charge competitors statewide averaged rates for local loops, but should instead be required to charge only deaveraged rates. AT&T correctly notes that under the Act, prices for network elements must be based on "cost," see 47 U.S.C. § 252(d)(1)(A)(i), and AT&T asserts this means the cost of providing the element at issue in the location at issue, not the cost of providing the same element somewhere else.

For its part, BellSouth does not contest the use of deaveraged rates as a philosophical matter. BellSouth does say, however, that it would be improper to hold BellSouth to averaged rates for retail sales to its own customers while requiring it to sell local loops to competitors at deaveraged rates. This, BellSouth says, would allow competitors to attract BellSouth's customers not because of greater skill, foresight or industry, but simply because of

regulatory distortions.

This is an issue on which there is no bright line solution mandated by the Telecommunications Act. It is, instead, an issue on which considerable administrative discretion should (and indeed must) be brought to bear. This is so for at least two reasons.

First, all rates are "averaged" to some extent. The art of cost accounting is not sufficiently refined to allow a determination of the actual cost of providing each specific loop, separate and apart from the loop next door or down the street. And even if the specific cost of each specific loop could be determined, the cost of determining the cost probably would exceed the cost. A system that set rates based on the cost of each specific loop, without any averaging, would not work. The issue, then, is not whether rates will be based on averaged costs; they will. The issue is only how many loops (and which ones) will be included in the pool used to calculate the average. The Florida Commission included every BellSouth loop in the pool, whereas AT&T says there should have been two or more pools,

thus allowing at least some geographic differentiation.

distortions is hardly frivolous. The long-term solution — and the solution that the Act may eventually produce — is to allow incumbents to compete in the market, free of regulatory requirements that in effect force them to charge above—competitive prices to their best customers. The Act provides an iternative mechanism for pursuing universal service intended to end the need for the pricing scheme historically used to achieve that goal. See 47 U.S.C. § 245. That does not necessarily mean, however, that deaveraging must occur immediately. The transition from the old approach to the new is an area particularly appropriate for the exercise of administrative judgment.

The adoption of statewide averaged rates throughout

Florida on a permanent basis would raise substantial

questions under the Telecommunications Act (even in the

absence of any FCC rule requiring deaveraging). On a

transitional basis, however, especially when considered in

light of the evidence available in the record that was

before the Florida Commission, its adoption of statewide averaged rates did not violate the Act and was not arbitrary and capricious. The Florida Commission's action was, instead, within the range of administrative discretion permissible under the Act.

Nonetheless, the deaveraging target has continued to move. This is one of the issues addressed in the rules that were promulgated by the FCC but then stayed and eventually vacated by the Eighth Circuit based on the jurisdictional holding that was reversed by the Supreme Court. See AT&T Corp. v. Iowa Utilities Bd., 525 U.S. 366, 119 S. Ct. 721, 142 L. Ed. 2d 835 (1999). The FCC rule requires each state commission to establish rates for at least three geographic areas:

State commissions shall establish different rates for elements in at least three defined geographic areas within the state to reflect geographic cost differences.

47 C.F.R. § 51.507(f). The Supreme Court's decision confirmed the FCC's jurisdiction in this area, and the rule has not been invalidated.

More recently, however, the FCC stayed its own rule, recognizing the need to allow states time to implement deaveraging. See Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Deaveraged Rate Zones for Unbundled Network Elements, 64 F.R. 32206 (June 16, 1999). The FCC lifted the stay effective May 1, 2000. See Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Deaveraged Rate Zones for Unbundled Network Elements, 64 F.R. 68637 (December 8, 1999).

The FCC's rule, and its delayed implementation, are valid applications of the Act. Thus, as of May 1, 2000, state commissions became obligated to deaverage rates over at least three geographic areas.

Because of the passage of time (based in part on the administrative and judicial ebb and flow), it is unclear whether the Florida Commission's decision now under review will continue to have effects inconsistent with 47 C.F.R. § 51.507(f). The defendant Florida Commissioners thus will be directed to reconsider their decision to assure that it does

not produce results inconsistent with that rule.

### IV. OPERATOR SERVICES COSTS

Another method by which the Telecommunications Act of 1996 allows new entrants to compete is by buying services from incumbents for resale to the new entrant's own customers. Thus the Act imposes on incumbents the duty

to offer for resale at wholesale rates any telecommunications service that the fincumbent provides at retail to subscribers who are not telecommunications carriers . . .

47 U.S.C. § 251(c)(4) (emphasis added). If the parties fail to reach a negotiated agreement on the wholesale rates that the incumbent will charge the competitor for such services, the Act requires state commissions to determine wholesale rates

on the basis of retail rates charge[d] to subscribers for the telecommunications service requested, excluding the portion thereof attributable to any marketing, billing, collection, and other costs that will be avoided by the [incumbent].

47 U.S.C. § 252(d)(3) (emphasis added).

AT&T seeks to obtain local service from BellSouth for resale. AT&T chooses, however, not to order BellSouth's operator services; AT&T will provide its own operator services. AT&T asserts that the wholesale price charged by BellSouth to AT&T should be reduced by the cost that BellSouth avoids by providing operator services. BellSouth asserts, however, that AT&T is entitled to buy at wholesale only the same service BellSouth sells to its customers who are not telecommunications carriers, that is, local service with operator services included: BellSouth says it does not sell, to its non-carrier subscribers, local service without operator service, that it thus would have no obligation under the Act to sell local service without operators to AT&T, and that it thus has no obligation to eliminate any cost of operator service from the wholesale rates charged to AT&T.

For two reasons, BellSouth is wrong. First, under a valid FCC rule, BellSouth must provide local service to AT&T for resale and simultaneously must provide customized

routing by which customers reach AT&T operators, so long as that is technically feasible. See 47 C.F.R. § 51.319(c0(1)(iii)(B); First Report and Order, In the Matter of Implementation of Local Competition Provisions in the Telecommunications Act of 1996, 11 F.C.C.R. 15,499 at ¶536 (1996). This is the functional equivalent of requiring BellSouth to provide AT&T local service without operator services.

Second, even if there were no such rule, the result would be the same. Beyond any question, BellSouth provides local service to subscribers at retail. That is the service AT&T seeks to obtain at wholesale. The Act squarely recognizes that a competitor need not take the entire package, including all attributes provided by the incumbent to non-carrier subscribers; the Act explicitly identifies billing services, for example, as a service whose cost properly can be excluded from the wholesale rate charged to a competitor. BellSouth provides billing services to every subscriber, just as it provides operator services to every subscriber, and AT&T is entitled to obtain local service

AT&T is entitled to obtain local service without receiving or paying for billing services.

To be sure, billing services, on the one hand, and operator services, on the other, are services of a somewhat different sort. But both are services that are collateral to the real object of the endeavor, which is the provision of local telephone service. Both are features that a reseller might reasonably choose to provide for itself, at least in part because of their value in marketing the local service to which they are collateral. The purposes of the Telecommunications Act of 1996 are best served by allowing competitors to obtain for resale the incumbent's local service while allowing the competitors to provide their own billing and their own operator services if they so choose.

When AT&T obtains local service from BellSouth for resale but does not use BellSouth's operator services,
BellSouth avoids some cost. BellSouth does not seem to assert the contrary, and any such assertion would make no sense. The incremental cost of providing operator services

to customers at the margin may be small, but cost there is.

There is no justification for attempting to pass on to AT&T a cost that is in fact avoided. Thus, as a matter of logic and simple fairness, any such avoided cost should be excluded from the wholesale rates charged to AT&T. Congress clearly recognized this; just as it expressly provided that billing costs would be excluded from wholesale rates, it also required the exclusion of "other costs that will be avoided" by the incumbent.

The Florida Commission thus erred when it refused to reduce the wholesale rates charged to AT&T by the amount of costs actually avoided by BellSouth in the provision of local service for resale. The defendant Commissioners will be directed to reconsider this issue.

Although by rule the FCC originally required the exclusion not only of costs that "will be avoided" but also costs that "can be avoided." 47 C.F.R. § 51.609(b), the Eighth Circuit now has invalidated that rule, squarely holding that only actually avoided costs must be excluded from wholesale rates. See See Iowa Utilities Bd. v. FCC, 219 F.3d 744, 755 (8th Cir. 2000). The Florida Commission must exclude from the wholesale rates charged to AT&T only operator service costs that are actually avoided by BellSouth.

### IV. COMBINING UNBUNDLED NETWORK ELEMENTS

In its counterclaim, BellSouth asserts that the Florida Commission improperly required BellSouth to provide AT&T with "recombined" unbundled network elements, thus in effect allowing AT&T to purchase complete service from BellSouth not at the wholesale price properly charged in connection with the sale of complete service for resale, but instead at the substantially lower price determined by adding up the prices of the various unbundled network elements that, when combined, constitute complete service. BellSouth asserts this "sham unbundling" violates the Telecommunications Act.

BellSouth's principal assertion, both before the Florida Commission and in its initial brief in this court, addressed pricing. BellSouth's contention was that AT&T should not be allowed to obtain complete service at a price below the wholesale price of complete service; BellSouth asserted that by obtaining complete service at the aggregate price of combined network elements, AT&T would be "gaming the system."

On this, BellSouth was and is wrong. The Act obligates

an incumbent both to sell complete service to competitors at wholesale and to provide competitors network elements at rates based on cost (to the extent required under the "necessary" and "impair" standards). These are separate methods by which a competitor may compete, and the choice of which method to use under what circumstances lies with the competitor. The Act does not preclude a competitor from combining network elements into complete service, nor does the Act require a competitor who does so to pay the wholesale price of combined service rather than the aggregated price of the network elements. These conclusions are fully consistent with the Act itself, the <u>lowa Utilities</u> decisions of the Supreme Court and of the Eighth Circuit on remand, and all regulations of the FCC.

BellSouth now also asserts that the Florida Commission erred by requiring BellSouth itself to combine separate network elements ordered by AT&T rather than requiring AT&T to do any such combining. Although the Florida Commission did not specifically address this issue, it did cite and expressly rely on the FCC's rule requiring precisely that

Upon request, an incumbent LEC shall perform the functions necessary to combine unbundled network elements in any manner, even if those elements are not ordinarily combined in the incumbent LEC's network, provided that such combination is:

- od (1) Technically feasible; and and y
- (2) Would not impair the ability of other carriers to obtain access to unbundled network elements or to interconnect with the incumbent LEC's network.

47 C.F.R. § 51.315(c).

The Florida Commission asserts that in the order now under review, it did not address the issue of whether BellScuth must do the combining of network elements.

BellScuth surely cannot be faulted, however, for raising the issue here; the Florida Commission's order, when combined with its explicit reliance on § 315(c), reasonably could be interpreted as imposing such a requirement. And while this was not the focus of BellScuth's arguments before the Florida Commission or in its initial brief here, BellScuth did squarely and resolutely challenge the entire concept of

requiring it to provide these services in this manner.

The FCC rule on which the Florida Commission relied - 47 C.F.R. § 315(c) - now has been invalidated by the Eighth Circuit, in its order on remand. See Iowa Utilities Bd. v. FCC, 219 F.3d 744, 759 (8th Cir. 2000). Because the Florida Commission made its decision in reliance on the now-invalidated rule, the appropriate course is to direct the defendant Commissioners to reconsider the matter. See. e.g., SEC v. Chenery Corp., 318 U.S. 80, 63 S. Ct. 454, 87 L. Ed. 626 (1943).

<sup>7</sup> In further considering this matter, the Florida Commission will be bound by 47 C.F.R. § 315(b), which prevents an incumbent that is providing network elements to a competitor from separating any such network elements that the incumbent currently combines. In <a href="#">Iowa Utilities</a>, the Supreme Court upheld that rule. See <a href="#">Iowa Utilities</a>, 525</a> U.S. at 394. The Supreme Court also noted that the arguments on that issue in that case might be "academic" in light of the Court's simultaneous invalidation of the FCC's "necessary" and "impair" rule. See <a href="#">Iowa Utilities</a>, 525 U.S. at 392. Nothing in this order forecloses the Florida Commission from taking otherwise proper action in response to the Supreme Court's decision on the "necessary" and "impair" rule.

## Conclusion

The Florida Commission's adoption of the TSLRIC pricing methodology, and its approval of statewide averaged rates for local loops on a transitional basis, were consistent with the Telecommunications Act of 1996 and were not arbitrary or capricious. The Florida Commission's failure to exclude the avoided cost of operator services from wholesale rates for local service was inconsistent with the Act. The Florida Commission must further explain or consider its decision with respect to the per-message charge for local switching, continuing effects of averaged rates for local loops, and combining of network elements.

Accordingly,

IT IS ORDERED: " aids page

The clerk shall enter judgment stating, "The Florida Public Service Commission's Final Order on Arbitration, as amended, is affirmed with respect to its overall pricing methodology and adoption of statewide averaged rates for local loops on a transitional basis; declared invalid with respect to the failure to exclude the avoided cost of

operator services from wholesale rates for local service; and vacated for further explanation or consideration with respect to the per-message charge for local switching, continuing effects of averaged rates for local loops, and combining of network elements, all as set forth in the Order on Merits entered September 28, 2000. Defendant Commissioners of the Florida Public Service Commission shall conduct further proceedings consistent with the Court's Order on Merits and this judgment." The clerk shall close the file.

SO ORDERED this 28th day of September, 2000.

Robert L. Hinkle

United States District Judge

# KATZ, KUTTER, HAIGLER, ALDERMAN, BRYANT & YON

PROFESSIONAL ASSOCIATION

ATTORNEYS AND COUNSELORS AT LAW www.katzlaw.com

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Suite 900 111 North Orange Avenue ORLANDO, FL 32801 (407) 841-7100 fax (407) 648-0660 Tallahassee Office

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Suite 409 2999 NE 191<sup>st</sup> Street **AVENTURA, FL** 33180 (305) 932-0996 fax (305) 932-0972

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November 2, 2000

Ms. Blanca Bayo
Director of Records of Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket Nos. 920260-TL, 960100-TP, 960786-TL, 960833-TP, 960847-TP, 960980-TP, 971478-TP, 980119-TP, 980184-TP, 980495-TP, 980986-TP, 981121-TP, 981834-TP, 990649-TP, 991534-TP, <del>991631-CC,</del> 991854-TP,

000061-TI, 000075-TP, 000121-TP, 000690-TP

Dear Ms. Bayo:

I have moved my law practice to the firm of Katz, Kutter, Haigler, Alderman, Bryant & Yon, P.A. My colleague Charlie Pellegrini and my assistant Pam Keillor are here as well.

Please change our address in the above-referenced dockets to:

Katz, Kutter, Haigler, Adlerman, Bryant & Yon, P.A.

12<sup>th</sup> Floor

106 East College Avenue

Tallahassee, Florida 32301

Thank you for your assistance in this matter. If there is anything else you might need from us in this regard, please do not hesitate to ask.

Sincerely,

Patrick K. Wiggins

PKW:plk

Some 11/06/00

MON -6 AM 9:20



01 MAR 15 AM 8:35

MAILROLD

920260

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991534,991854

000075,000121

December 12, 2000

To Whom It May Concern:

Effective immediately all future correspondence should be addressed to:

### Intermedia Communications Inc.

Attn: Scott A. Sapperstein, Sr. Policy Counsel One Intermedia Way M.C. FLT-HQ3

Tampa, FL 33647-1752

If you have any questions, please call me at (813) 829-4093.

Sincerely,

Scott A. Sapperstein Sr. Policy Counsel

SAS/af

Sone 3/15/01

# SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

THE WASHINGTON HARBOUR 3000 K STREET, NW, SUITE 300 WASHINGTON, DC 20007-5116 TELEPHONE (202) 424-7500 FAX (202) 424-7645 WWW.SWIDLAW.COM

NEW YORK OFFICE THE CHRYSLER BUILDING 405 LEXINGTON AVENUE NEW YORK, NY 10174 (212) 973-0111 FAX (212) 891-9598

August 23, 2001

Ms. Hong Wang Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399

Dear Ms. Wang:

A few weeks ago, I exchanged e-mail with some of the commission staff regarding changing the attorney list that the CASR faxes were sent to. My e-mails were forwarded to you and I subsequently spoke with you on the phone. You asked me to put my request in writing and fax it to you. Please make the following changes:

Docket Nos.	Remove	Add
960833	Robin Cohn	Michael Sloan
971478	Richard Rindler	Michael Sloan
990649	Tom Lotterman Russell Blau Marc Rothschild Robert Ridings	Keep Michael Sloan
010960	Jennifer Schneider	Michael Sloan
981444	Jim Falvey/Rindler	Michael Sloan

If you have any questions about this request, please feel free to call me at (202) 424-7604.

7

Celia Petrowsky

Secretary to Russell Blau

Done 8-23-01

# **Hong Wang**

From:

2100000

Kay Flynn

Sent:

Monday, August 27, 2001 9:31 AM

To:

Beth Keating

Cc:

Hong Wang; Nonnye Grant

Subject:

RE: Address Update

960833

Thanks, Beth.

Hong and Nonnye, please clarify with WorldCom as to whether they mean for this to be a global change, or just on the notice lists LEG has.

(It does look like he has physically MOVED, however.)

Kay

----Original Message----

From: Beth Keating

Sent: Monday, August 27, 2001 9:18 AM

To: Andrea Cowart; LEG - CMU

Cc: Kay Flynn

Subject: FW: Address Update

I guess we need to update our service lists in those cases where we are actually sending stuff to Brian in addition to Donna.

Kay, I thought you might be interested, too.

----Original Message----

From: Carolyn Craig

Sent: Monday, August 27, 2001 9:10 AM

To: Beth Keating; Andrea Cowart Subject: RE: Address Update

FYI

----Original Message----

From: Shirley Jeff

Sent: Friday, August 24, 2001 4:40 PM

To: Carolyn Craig; Wanda Terrell; Linda Williams

Subject: Address Update

I've been asked to pass this information on to you by Zenell. Thanks.

----Original Message----

From: Zenell Hanley [mailto:Zenell.Hanley@wcom.com]

Sent: Friday, August 24, 2001 11:01 AM

To: sjeff@psc.state.fl.us Subject: Address Update

Thank you for your help.

OLD address- Brian Sulmonetti 1515 S. Federal Hwy, Suite 400 Boca Raton, FL 33432-7404

NEW address-

Brian Sulmonetti

6 Concourse Parway, Suite 3200 Atlanta, GA 30328

Zenell Hanley WORLDCOM Executive Secretary Law & Public Policy 770-284-5494 LAW OFFICES OF

SUZANNE FANNON SUMMERLIN, P.A.

2536 Capital Medical Boulevard Tallahassee, Florida 32309 TELEPHONE (850) 656-2288 TELECOPIER (850) 656-5589

February 13, 2002

Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 4075 Esplanade Way, Room 110 Tallahassee, Florida 32399-0850

96 0833, 960786, 980119

RE: Dockets Nos. 960786A-TL, 960786B-TL, 010345-TP, 000121-TP (OSS)

Dear Ms. Bayo:

Please take note for the above-referenced dockets and any other Commission data base in which I appear, that my address has changed, effective February 1, 2002, to:

Suzanne Fannon Summerlin, P.A. 2536 Capital Medical Boulevard Tallahassee, Florida 32309

My phone numbers remain the same. Thank you.

Sincerely,

Suzanne F. Summerlin

SFS/am

gone 2/15/02



Up duted

960833

July 11, 2002

Public Service Commission 2540 Shurmard Oak Blvd. Tallahassee, FL 32399-0850

Attention: Nonnye Grant

Dear Ms. Grant:

960100, 960786, 9607864, 960786B, 96083 960846, 981444, 981834, 990455, 990649, 99064 990649B, 991473, 000121, 000121A 010696, 010743, 010774, 011077

NO29 + Noticitate "T"

Per our telephone conversation today, please make the following changes for the FLORIDA PUBLIC TELECOMMUNICATIONS ASSOCIATION:

Please send all mail to:

M/ms. angela & Freen

Via President/Dennal Counsel

2292 Wednesday Street, Suite 1

2allahasser FL 32388-4334

abgreen@nettally.com

David Tobin, Esq. - Juneal Counsel
Tobin & Reyes
7251 West Palmetto Park Road

Suite 205 Boca Raton, FL 33433 - 3 487

Phone: (561) 620-0656

Fax: (561) 620-0657

E-mail: dst@tobinreyes.com

Our second contact is:

pt same above P- 850) 222-5050 F- 850) 222-1355

Rick Lubbehusen, Executive Durector

Phone:

(850) 222-5050

Fax:

(850) 222-1355

E-mail:

rick@fpta.com

Thank you, Nonnye, for your help. If you need any further information, please let me know.

Sincerely,

Jan McBride-Smith Office Manager

Jone 7/11/02

Inoke is ms. Mi Bridi-Smith, received will Littles of Contacts, plus they want t

1140 Capital Circle SE, Suite 11, Tallahassee, FL 32301 - 3636

Nemain on the Phone (850) 222-5050, Fax (850) 222-1355, Email: jan@fpta.com

Introuption

## September 23, 2002

#### BY HAND DELIVERY

Blanca Bayó, Director Florida Public Service Commission Division of Commission Clerk and Administrative Services 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re: Change of Address

Dear Ms. Bayó,

2001-3 ANIO: 05 960786, 9607864, 96078613, 960833, 960846 Re: Change of Address 97140, 971478, 980499, 980986, 981121, 981444Is. Bayó, 981834, 990435, 990649, 990649A, 990649B, 000774In compliance with the Commission rules, WorldCom hereby files its change of 911077, 920126

contact information for the certificated entities listed below. Starting today, September 23, 2002, I am moving to a new address, and also will have new phone and fax numbers. \$\textit{0.0649}, \$\textit{0.2070}\$ I would appreciate it if you could update the Master Commission Directory with the new panger information.

I am the regulatory liaison for the following certificated entities and my new information is set forth below:

### UPDATED REGULATORY LIAISON CONTACT INFORMATION:

Donna Canzano McNulty 1203 Governors Square Blvd. Suite 201 Tallahassee, FL 32301

Phone: (850) 219-1008 Fax: (850) 219-1018

# UPDATED CONTACT INFORMATION FOR THESE CERTIFICATED **ENTITIES:**

VTI731 - MCI WorldCom Network Services, Inc. (IXC)

∨ TE644 – MCI WorldCom Communications, Inc. (PP)

✓ TA020 – MCI WorldCom Network Services, Inc. (ALEC)

√ TA005 – MCImetro Access Transmission Services, LLC (ALEC)

∨ TS185 – MCI WorldCom Communications, Inc. (STP)

~TA047 – MCI WorldCom Communications, Inc. (ALEC)

✓ TI724 - TransCall America, Inc. d/b/a ATC Long Distance

Jone 9/25/02

- ✓ TJ032 MCI WorldCom Communications, Inc. (IXC)
- √ TA012 Metropolitan Fiber Systems of Florida , Inc. (ALEC)
- √TE165 Telecom\*USA, Inc. (PP)
- √TI906 Telecom\*USA, Inc. (IXC)
- ~TI907 SouthernNet Systems, Inc. (IXC)
- √TS173 Intermedia Communications Inc. (STP)
- ✓ TI857 Intermedia Communications Inc. (IXC)
- ✓ TA001 Intermedia Communications Inc. (ALEC)
- √TS171 Access Network Services, Inc. (STP)

If you have any questions, please contact me at your earliest convenience.

Sincerely,

Donna Canzano McNulty

cc: Walter D'Haeseleer
Harold McLean
Beth Keating
Bev DeMello
Rick Moses

Roberta Bass