

1070
n

SWIDLER
&
BERLIN
CHARTERED

ORIGINAL
FILE COPY

February 20, 1996

Via Federal Express

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

Re: Resolution of Petition(s) to establish nondiscriminatory rates, terms, and conditions for interconnection involving local exchange companies and alternative local exchange companies pursuant to Section 364.162, Florida Statutes (Docket No. 950984-TP) (Petition of MFS-FL for Interconnection with GTE Florida, Inc.)

Dear Mrs. Bayo:

Enclosed for filing are an original and fifteen (15) copies of the Rebuttal Testimony of Timothy T. Devine and Prehearing Statement of Metropolitan Fiber Systems of Florida, Inc. in the above-captioned docket.

A copy of the Prehearing Statement on diskette is enclosed pursuant to Rule 25-22-028(1). Also enclosed are extra copies of the documents. Please date stamp the extra copies, and return them in the enclosed self-addressed envelope.

Thank you for your attention to this matter.

Sincerely,

James C. Falvey
James C. Falvey

cc: All parties of record

- CK
- FA
- FP
- AF
- MU
- TR
- AG
- EG
- JN
- DPC
- RCH
- SEC
- WAS
- OTH

154910-1
DOCUMENT NUMBER-DATE
02080 FEB 21 96

P/H retmt
DOCUMENT NUMBER-DATE
02079 FEB 21 96

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

**ORIGINAL
FILE COPY**

Resolution of Petition(s) to establish)
nondiscriminatory rates, terms, and)
conditions for resale involving local)
exchange companies and alternative)
local exchange companies pursuant)
to Section 364.161, Florida Statutes)

Docket No. 950984-TP

Filed: February 21, 1996

**PREHEARING STATEMENT OF
METROPOLITAN FIBER SYSTEMS OF FLORIDA, INC.
(Petition of MFS-FL Re: GTE Florida, Inc.)**

Pursuant to Rule 25-22.038(3), Florida Administrative Code, Metropolitan Fiber Systems of Florida, Inc. ("MFS-FL"), by its undersigned attorneys, hereby files this prehearing statement in the Commission's proceeding concerning the unbundling of GTE Florida, Inc.'s ("GTEFL") network features, functions and capabilities, including local loops.

- (a) **the name of all known witnesses that may be called by the party, and the subject matter of their testimony;**

Timothy T. Devine will testify as to the appropriate arrangements for the unbundling of GTEFL loops, ports, and other network features, functions, and capabilities (as defined by the list of issues in this proceeding), and particularly the appropriate rates for such unbundled elements. He will also respond to proposals by other parties on these issues.

DOCUMENT NUMBER-DATE

02079 FEB 21 86

FPSC-RECORDS/REPORTING 760

- (b) **a description of all known exhibits that may be used by the party, whether they may be identified on a composite basis, and the witness sponsoring each;**

Timothy Devine, on behalf of MFS-FL, will sponsor Exhibits TTD-1 through TTD-8 attached to its Direct and Rebuttal Testimony in this docket. Exhibits TTD-1 through TTD-6 are the correspondence between GTEFL and MFS-FL in their recent unbundling negotiations. Exhibit TTD-7 is a chart demonstrating the network elements that MFS-FL has requested be unbundled. Exhibit TTD-8 is an agreement on interconnection issues and unbundled network elements recently signed by MFS-FL and GTE.

- (c) **a statement of basic position in the proceeding;**

MFS-FL and GTEFL have reached agreement on all issues in this proceeding except the pricing of unbundled elements, and certain minor operational issues. GTEFL will unbundle and separately price and offer two-wire and four-wire, analog and digital loop and port elements such that MFS-FL will be able to lease and interconnect to whichever of these unbundled elements MFS-FL requires and to combine the GTEFL-provided elements with facilities and services that MFS-FL may provide itself. GTEFL should price these unbundled elements at Long Run Incremental Cost, subject to the pricing guidelines recommended in this proceeding by MFS-FL. GTEFL will permit MFS-FL to collocate digital loop carrier systems.

(d) MFS offers the following prehearing positions on the questions of law, fact and public policy identified for disposition in this docket.

1. Issue: What elements should be made available by United/Centel and GTEFL to MFS-FL on an unbundled basis (e.g. link elements, port elements, loop concentration, loop transport)?

Position: MFS-FL and GTEFL have agreed that GTEFL will provide the elements requested by MFS-FL on an unbundled basis. GTEFL will provide to MFS-FL unbundled access and interconnection to two-wire and four-wire analog and digital loops and ports. GTEFL will also provide to MFS-FL the capability to perform loop concentration through collocation of MFS-FL's own digital loop carriers ("DLCs").

2. Issue: What are the appropriate technical arrangements for each such unbundled element?

Position: MFS-FL and GTEFL have agreed to all of MFS-FL's requests regarding this issue. Interconnection will be achieved via collocation arrangements that MFS-FL will maintain at the wire center at which the unbundled elements are resident. MFS-FL also will be able to install digital loop carriers at GTEFL's virtual collocation sites.

3. Issue: What are the appropriate financial arrangements for each such unbundled element?

Position: GTEFL's direct LRICs are the appropriate price for unbundled loops and other elements. Furthermore: 1) the sum of the prices of the unbundled rate elements must be no greater than the price of the bundled dial-tone line; 2) the price to LRIC ratio for each element and for the bundled dial-tone line must also be equal.

4. Issue: What arrangements, if any, are necessary to address other operational issues?

Position: MFS-FL and GTEFL have stipulated to some operational issues. GTEFL will apply all transport-based and switch-based features, grades-of-service, etc. which apply to bundled service to unbundled links. MFS-FL and GTEFL did not agree, but MFS-FL submits that GTEFL should permit any customer to convert its bundled service to an MFS-FL unbundled service with no penalties. GTEFL will provide MFS-FL with the appropriate billing and electronic file transfer arrangements. Certain issues remain to be negotiated, and the parties have agreed to negotiate them within the next 60 days. The Commission should leave this portion of the docket open until these issues are fully resolved.

(g) a statement of issues that have been stipulated to by the parties;

Issue 1 (elements to be unbundled) and Issue 2 (technical arrangements)
have been stipulated by MFS-FL and GTEFL.

- (h) **a statement of all pending motions or other matters the party seeks action upon;**

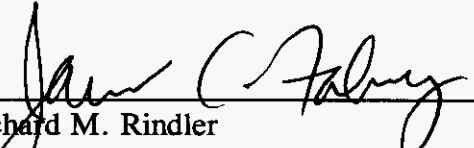
MFS-FL has no pending motions or other matters that it seeks action upon at this time.

- (i) **a statement as to any requirement set forth in the prehearing order that cannot be complied with, and the reasons therefor.**

None.

Respectfully submitted,

Timothy Devine
MFS Communications Company, Inc.
Six Concourse Parkway, Ste. 2100
Atlanta, Georgia 30328
Phone: (770)399-8378
Fax: (404)399-8398


Richard M. Rindler
James C. Falvey
SWIDLER & BERLIN, CHARTERED
3000 K Street, N.W.
Suite 300
Washington, D.C. 20007
**Attorneys for Metropolitan Fiber
Systems of Florida, Inc.**

Dated: February 21, 1996