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ORIGINAL
FILE COPY

June 11, 1996

BY HAND DELIVERY

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

Re: Resolution of Petition to Establish Non
Discriminatory Rates, Terms, and Conditions
for Interconnection Involving Local Exchange
Companies and Alternative Local Exchange
Companies pursuant to Section 364.162,
Florida Statutes - Docket No. 950985-TP

Dear Ms. Bayo:

Enclosed for filing in the above-styled docket are the original and fifteen (15) copies of Sprint-United/Centel's Response to the Motions for Reconsideration of Time Warner Axs of Florida, L.P. and Digital Media Partners, and Florida Cable Telecommunications Association.

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

CAF Thank you for your assistance in this matter.

CMU *Chase*

CTR

EAG

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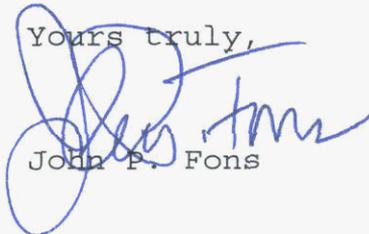
OPC Enclosures

RCP cc: All parties of record

SEC 1
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WAS

OTH

Yours truly,

John P. Fons

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution of Petition to)
Establish Non Discriminatory Rates,)
Terms, and Conditions for Inter-)
connection Involving Local Exchange)
Companies and Alternative Local)
Exchange Companies pursuant to)
Section 364.162, Florida Statutes)
_____)

DOCKET NO. 950985-TP

Filed: June 11, 1996

**SPRINT-UNITED/CENTEL'S RESPONSE TO THE MOTIONS
FOR RECONSIDERATION OF TIME WARNER AXS OF
FLORIDA, L.P. AND DIGITAL MEDIA PARTNERS, AND
FLORIDA CABLE TELECOMMUNICATIONS ASSOCIATION**

Pursuant to Rule 25-22.060(1)(b), Florida Administrative Code, United Telephone Company of Florida and Central Telephone Company of Florida (together "Sprint-United/Centel") respond to the Motions for Reconsideration ("Motions") filed by Time Warner Axs of Florida, L.P. and Digital Media Partners (together "Time Warner"), and Florida Cable Telecommunications Association ("FCTA"), (collectively "ALECs"), stating as follows:

1. The common theme of the Motions filed by Time Warner and FCTA to the Commission's Order No. PSC-96-0668-FOF-TP ("Order") is that the Commission went too far in setting standards for establishing a minute-of-use charge in lieu of mutual traffic exchange in the event either party believes that the terminating traffic is out of balance and the party is not receiving benefits equivalent to those it is providing. Order at 21. Although the arguments offered by Time Warner and FCTA are slightly different from each other in their approach, bottom-line they each contend that these provisions of the Order should be eliminated because

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measuring terminating traffic is inconsistent with the fundamental basis for authorizing mutual traffic exchange as the medium of compensation. (Time Warner, pp. 1 and 2; and FCTA, pp. 2 and 3.

2. Although it is true that mutual traffic exchange or "bill and keep" eliminates the need for each party to bill the other for terminating traffic because it assumes a priori that the traffic will be balanced, it does not eliminate the need to measure terminating traffic. Indeed, it is essential that the parties measure terminating traffic for a variety of purposes.

3. First, the record evidence confirms that even with a mutual traffic exchange arrangement each party will be required to determine what portion of the terminating traffic it is delivering is toll versus local so that interexchange access charges can be assessed for terminating toll traffic. (Wood, Tr. 441-43; Devine, Tr. 652-57; Engleman, Tr. 234-36.) This requirement can only be fulfilled if the ALEC has, in the first instance, measured all minutes of traffic being terminated by it.

4. Second, the measurement requirement being imposed, namely "monthly MOU data for terminating local traffic which will reflect the trends in the flow of traffic" does not require the level of "tracking, billing, collecting and auditing" detail which Time Warner finds onerous and inconsistent with the mutual traffic exchange compensation arrangement. (Time Warner, p. 2.) The record demonstrates that the ALECs will, of necessity, have measuring capability for engineering purposes and will have, at the very least, the capability of providing total aggregate minutes of

terminating traffic sent to the incumbent LEC. (Wood, Tr. 441-42; Devine, Tr. 658-59.) This is all that the Commission's measurement requirement demands.

5. Finally, because, as the Commission correctly observes, "the existing evidence on traffic balance is inconclusive," the fundamental underpinning of the Commission's compensation arrangement remains in doubt. Order at 15. This doubt can only be resolved through the development of hard data reflecting the flow of terminating traffic. Otherwise, without ongoing measurement of terminating traffic, it would be impossible for either party to demonstrate, either real-time or after-the-fact, that the traffic is not balanced and the party is not, and has not, received "benefits equivalent to those it is providing."

6. The record, therefore, amply supports the imposition of a measurement requirement that (a) is no different from the measurement obligations which are operationally imposed on the ALECs, and (b) is totally consistent with addressing the Commission's need for data that will show whether the terminating local traffic is, in fact, balanced.

WHEREFORE, based upon the foregoing, Sprint-United/Centel urge the Commission to deny these motions for reconsideration.

DATED this 11th day of June, 1996.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail or hand delivery (*) or overnight express (**) this 11th day of June, 1996, to the following:

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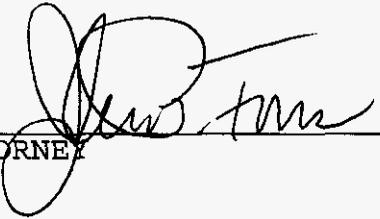
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