

ORIGINAL

MEMORANDUM

May 3, 2000

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FORDHAM/STERN)MKS ^{AK}

RE: DOCKET NO. 991534-TP - Request for arbitration concerning complaint of Intermedia Communications, Inc. against BellSouth Telecommunications, Inc. for breach of terms of interconnection agreement under Sections 251 and 252 of the Telecommunications Act of 1996, and request for relief.

Attached for filing is STAFF'S PREHEARING STATEMENT for the above referenced docket. (Number of pages - 3)

MKS
 cc: Division of Telecommunications
 I: 991534ps.mks

AFA _____
 APP _____
 CAF _____
 CML _____
 CTR _____
 EAG _____
 LEG _____
 MAS 5 _____
 OPC _____
 RRR _____
 SEC 1 _____
 WAW _____
 OTH _____

DOCUMENT NUMBER-DATE
05496 MAY-38
 FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning complaint of Intermedia Communications, Inc. against BellSouth Telecommunications, Inc. for breach of terms of interconnection agreement under Sections 251 and 252 of the Telecommunications Act of 1996, and request for relief.

DOCKET NO. 991534-TP

DATED:

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-00-0193-PCO-TP, the Staff of the Florida Public Service Commission files its Prehearing Statement.

- A. All Known Witnesses: Staff does not intend to sponsor any witnesses at this time.
- B. All Known Exhibits: Staff has not yet identified a tentative list of exhibits which it intends to use. Staff will supply a tentative list of exhibits at or prior to the Prehearing Conference.
- C. Staff's Statement of Basic Position: Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

DOCUMENT NUMBER-DATE

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D. Staff's Position on the Issues

ISSUE 1: What is the applicable rate(s) that Intermedia and BellSouth are obligated to use to compensate each other for transport and termination of local traffic in Florida pursuant to the terms of their Interconnection agreement approved by the Commission?

Position:

Staff takes no position at this time.

E. Pending Motions: Staff has no pending motions at this time.

F. Pending Confidentiality Claims or Requests: Exhibits ELT-4, 5, 6, and 7 to the prefiled direct testimony of witness Edward L. Thomas were filed with a claim of confidentiality pursuant to Rule 5-22.006(5), Florida Administrative Code.

G. Compliance with Order No. PSC-00-0193-PCO-TP

Staff has complied with all requirements of the Order Establishing Procedure entered in this docket.

Respectfully submitted this 3rd day of May, 2000.

Marlene K. Stern
MARLENE K. STERN
Staff Counsel

FLORIDA PUBLIC SERVICE COMMISSION
Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(850) 413-6199

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concerning complaint of
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing
Staff's Prehearing Statement has been furnished by U.S. Mail to the
following parties of record this 3rd day of May, 2000.

Ms. Nancy Sims
BellSouth Telecommunications
150 South Monroe Street
Suite 400
Tallahassee, Florida 32301-1556

Mr. Scott Sapperstein
Intermedia Communications, Inc.
3625 Queen Palm Drive
Tampa, Florida 33619-1309

Patrick Wiggins, Esquire
Wiggins Law Firm
Post Office Drawer 1657
Tallahassee, Florida 32302

Marlene K. Stern
MARLENE K. STERN
Staff Counsel