

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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RECORDS AND REPORTING

**DATE:** JUNE 29, 2000

**TO:** DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

**FROM:** DIVISION OF COMPETITIVE SERVICES (OLLILA) *l.o.*  
DIVISION OF LEGAL SERVICES (CALDWELL) *gk dnc*

**RE:** DOCKET NO. 991237-TP - COMPLAINT BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. D/B/A CONNECT 'N SAVE AND D/B/A LUCKY DOG AND D/B/A ACC BUSINESS AGAINST BELL SOUTH TELECOMMUNICATIONS, INC. REGARDING IMPROPER APPLICATION OF SWITCHED ACCESS CHARGES.

**AGENDA:** 07/11/00 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\LEG\WP\991237.RCM

CASE BACKGROUND

On August 27, 1999, AT&T Communications of the Southern States, Inc. d/b/a Connect 'N Save and d/b/a Lucky Dog and d/b/a ACC Business (AT&T) filed a complaint against BellSouth Telecommunications, Inc. (BellSouth) regarding improper application of switched access charges. On September 19, 1999, BellSouth filed its Answer and Response to the Complaint. The matter was set for administrative hearing. On December 12, 1999, Order No. PSC-99-2495-PCO-TP was issued establishing procedures and the case proceeded toward hearing. On April 14, 2000, BellSouth filed a Motion to Amend its Pre-hearing Statement.

On April 20, 2000, the hearing was convened at which time the parties informed the Commissioners that settlement was reached and a Notice of Withdrawal would be filed when the settlement documents were final. The hearing was continued pending further notice from

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the parties. On June 1, 2000, AT&T filed a Notice of Dismissal of its Complaint against BellSouth stating that a settlement of all disputed issues was reached in a mutually satisfactory manner.

### **DISCUSSION OF ISSUES**

**ISSUE 1:** Should the Commission acknowledge AT&T Communications of the Southern States' Notice of Dismissal?

**RECOMMENDATION:** Yes. The Commission should acknowledge AT&T Communications of the Southern States' Notice of Dismissal.

**STAFF ANALYSIS:** Staff recommends that the Commission acknowledge AT&T's Notice because AT&T is voluntarily withdrawing the complaint it filed. No other party has filed for intervention and staff believes no party would be prejudiced by this act.

**ISSUE 2:** Should the Commission grant BellSouth's Motion to Amend its Prehearing Statement?

**RECOMMENDATION:** No. If the Commission approves, Issue 1, BellSouth's motion is moot.

**STAFF ANALYSIS:** If the Commission approves Issue 1, BellSouth's motion is moot.

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**ISSUE 3:** Should this docket be closed?

**RECOMMENDATION:** Yes, if Issues 1 and 2 are approved, this docket should be closed.

**STAFF ANALYSIS:** If Issues 1 and 2 are approved, this docket should be closed.