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an

BELLSOUTH
TELECOMMUNICATIONS

J. Phillip Carver
General Attorney

Southern Bell Telephone
and Telegraph Company
c/o Nancy H. Sims
Suite 400
150 So. Monroe Street
Tallahassee, FL 32301
Phone (305) 347-5558

September 20, 1995

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Rm. 110
Tallahassee, FL 32399-0850

ORIGINAL
FILE COPY

Re: Docket No. 950985-TP

Dear Mrs. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications Inc.'s Answer to Petition of TCG, which we ask that you file in the captioned matter.

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 to the parties shown on the attached Certificate of Service.

Sincerely,
J. Phillip Carver (BJL)
J. Phillip Carver

- ACK Enclosures
- AFA _____
- APP _____ cc: All Parties of Record
- CAF _____ A. M. Lombardo
- CMU Chau R. G. Beatty
- CTR _____ R. Douglas Lackey
- EAG _____
- LEG 1 _____
- LIN 5 _____
- OPC _____
- RCH _____
- SEC 1 _____
- WAS _____
- OTH _____

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DOCUMENT NUMBER-DATE
09319 SEP 20 95
EPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution of Petition(s)) Docket No. 950985-TP
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.)
_____) Filed: September 20, 1995

**BELLSOUTH TELECOMMUNICATIONS, INC'S
ANSWER TO PETITION OF TCG**

BELLSOUTH TELECOMMUNICATIONS, INC., ("BellSouth", "Southern Bell", or "Company") hereby answers the Petition of Teleport Communications Group Inc ("TCG") and states the following.

1. Rule 25-22.037(1) states that "[a] respondent or intervenor may file an answer within 20 days of service of the petition." (emphasis added). This language suggests that the filing of an answer or response to a petition is optional. Likewise, the Order Establishing Procedure in this case (Order No. PSC-95-1084-PCO-TP, issued August 30, 1995) directs any respondent only to file within fourteen days of the receipt of the petitioner's testimony, direct testimony and a list of the issues. There is no requirement that an answer per se be filed.

2. Nevertheless, Rule 25-22.037(3) states that "the failure of a party to file a timely answer or motion in response to an ... initial pleading shall constitute an admission of all facts set forth in the ... initial pleading." It is not the

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intention of BellSouth to waive its right to contest any of the facts alleged in TCG's Petition. Therefore, in an abundance of caution, BellSouth files the following in response to the Petition of TCG:

3. As to Paragraph No. 1 of the Petition, Southern Bell is without knowledge of the facts alleged. Accordingly, they are deemed to be denied.

4. As to Paragraph No. 2 of the Petition, Southern Bell is without knowledge of the facts alleged. Accordingly, they are deemed to be denied.

5. As to Paragraph No. 3 of the Petition, Southern Bell is without knowledge of the facts alleged. Accordingly, they are deemed to be denied.

6. As to Paragraph No. 4 of the Petition, Southern Bell is without knowledge of the facts alleged. Accordingly, they are deemed to be denied.

7. As to Paragraph No. 5 of the Petition, Southern Bell is without knowledge of the facts alleged. Accordingly, they are deemed to be denied.

8. As to Paragraphs No. 6, 7, 8, 9 and 10 of the Petition, these paragraphs, taken together, constitute a general statement of TCG's view of the pertinent negotiations to date. While certain aspects of the facts alleged in these paragraphs are

true, BellSouth does not accept all of the characterizations of the settlement negotiations that are set forth by TCG.

Accordingly, these paragraphs are deemed to be denied.

9. As to Paragraph 11 of the Petition, the allegations of this paragraph are denied.

10. As to Paragraph 12 of the Petition, the allegations of this paragraph are denied.

11. As to Paragraph 13 of the Petition, this paragraph (including all subparts) purports to set forth the arrangement sought by TCG. It does not constitute factual allegations against BellSouth, and, accordingly, no response is required. Accordingly, these allegations are deemed to be denied.

12. As to Paragraph 14a of the Petition, Southern Bell admits that BellSouth and TCG have not yet reached a mutually agreeable interconnection arrangement, and that TCG has filed its Petition.

13. As to all other portions of Paragraph 14 of the Petition (including the remainder of sub-paragraph 14a and all of sub-paragraphs 14b and 14c), these allegations are denied.

14. As to Paragraph 15 of the Petition, this paragraph contains a prayer for relief. Since it contains no factual allegations against BellSouth, no response is required.

Respectfully submitted this 20th day of September, 1995.

BELLSOUTH TELECOMMUNICATIONS, INC.

Robert G. Beatty (BGL)

ROBERT G. BEATTY
J. PHILLIP CARVER
c/o Nancy H. Sims
150 So. Monroe St., Rm. 400
Tallahassee, FL 32301
(305) 347-5555

Nancy B. White (BGL)

NANCY B. WHITE
c/o Nancy H. Sims
150 So. Monroe St., Rm. 400
Tallahassee, FL 32301
(404) 529-5387

**CERTIFICATE OF SERVICE
DOCKET NO. 950985-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by FEDERAL EXPRESS this 20th day of September, 1995 to the following:

Staff Counsel
Fla. Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Jodie Donovan-May, Esq.
Eastern Region Counsel
Teleport Comm. Group Inc.
Suite 400
1133 21st Street, N.W.
Washington, DC 20036
202-739-0010 (phone)
202-739-0044 (fax)
atty for TCG

Kenneth A. Hoffman, Esq.
Rutledge, Ecenia, Underwood,
Purnell & Hoffman
215 South Monroe St., Ste. 420
Tallahassee, FL 32301-1841
904-681-6788 (phone)
904-681-6515 (fax)
atty for TCG

Paul Kouroupas
Director, Regulatory Affairs
Teleport Comm. Group Inc.
Two Teleport Drive, Ste. 300
Staten Island, NY 10311
718-355-2634 (phone)
718-355-4876 (fax)

Michael J. Henry
MCI Telecommunications Corp.
780 Johnson Ferry Rd.,
Suite 700
Atlanta, GA 30342
atty for MCImetro

Richard D. Melson
Hopping Green Sams & Smith
123 So. Calhoun Street
Tallahassee, FL 32301
atty for MCImetro
904-222-7500

Peter M. Dunbar, Esq.
Charles W. Murphy, Esq.
Pennington & Haben, P.A.
Post Office Box 10095 (32302)
215 So. Monroe St., 2nd FL
Tallahassee, FL 32301
atty for Time Warner, Digital

Ms. Jill Butler
Florida Regulatory Director
Time Warner Communications
2773 Red Maple Ridge
Tallahassee, FL 32301

Laura L. Wilson, Esq.
Charles F. Dudley, Esq.
Florida Cable Telecomm-
unications Assoc. Inc.
310 N. Monroe Street
Tallahassee, FL 32301

Floyd R. Self, Esq.
Messer, Caparello, Madsen,
Goldman & Metz, P.A.
215 S. Monroe St., Ste. 701
Tallahassee, FL 32301
atty for McCaw
904-222-0720

William H. Higgins, Esq.
AT&T Wireless Services
Suite 900
250 S. Australian Avenue
West Palm Beach, FL 33401

Michael W. Tye, Esq.
106 E. College Ave.
Suite 1410
Tallahassee, FL 32301
(904) 425-6360
atty for AT&T

Robin D. Dunson, Esq.
1200 Peachtree St., NE
Promenade I, Room 4038
Atlanta, GA 30309
(404) 810-8689
atty for AT&T

Patrick K. Wiggins
Wiggins & Villacorta, P.A.
503 E. Tennessee St., Ste. B
Tallahassee, FL 32308
(904) 222-1534
atty for Intermedia

Anthony P. Gillman
Kimberly Caswell
GTE Florida Inc.
c/o Richard M. Fletcher
106 East College Ave.
Suite 1440
Tallahassee, FL 32301
(813) 228-3087
atty for GTE FL

Timothy Devine
MFS Communications Co., Inc.
250 Williams St., Ste. 2200
Atlanta, GA 30303-1034
(404) 224-6115
atty for MFS-FL

Richard M. Rindler
James C. Falvey
Swidler & Berlin, Chartered
3000 K Street, N.W., Ste. 300
Washington, D.C. 20007
(202) 424-7771
atty for MFS-FL

J. Phillip Carver (S) L
J. Phillip Carver