

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by Sprint) DOCKET NO. 961173-TP
Communications Company Limited) ORDER NO. PSC-96-1462-PHO-TP
Partnership d/b/a Sprint for) ISSUED: December 3, 1996
arbitration with GTE Florida)
Incorporated concerning)
interconnection rates, terms,)
and conditions, pursuant to the)
Federal Telecommunications Act)
of 1996.)
_____)

Pursuant to Notice, a Prehearing Conference was held on November 26, 1996, in Tallahassee, Florida, before Commissioner Diane K. Kiesling, as Prehearing Officer.

APPEARANCES:

C. Everett Boyd, Jr., Esquire, Ervin, Varn, Jacobs & Ervin, Post Office Drawer 1170, Tallahassee, Florida 32302; Benjamin Fincher, Esquire, Carolyn Roddy, Esquire, Sprint Communications Company Limited Partnership, 3100 Cumberland Circle, Atlanta, Georgia 30339
On behalf of Sprint Communications Company Limited Partnership.

Anthony P. Gillman, Esquire, and Kimberly Caswell, Esquire, Post Office Box 110, Tampa, Florida 33601
On behalf of GTE Florida Incorporated.

Monica M. Barone, Esquire, Charles J. Pellegrini, Esquire and William P. Cox, Esquire, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399
On behalf of the Commission Staff.

PREHEARING ORDER

I. CASE BACKGROUND

Part II of the Federal Telecommunications Act of 1996 (Act) sets forth provisions regarding the development of competitive markets in the telecommunications industry. Section 251 of the Act addresses interconnection with the incumbent local exchange carrier and Section 252 sets forth the procedures for negotiation, arbitration, and approval of agreements.

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Section 252(b) addresses agreements arrived at through compulsory arbitration. Specifically, Section 252(b)(1) states:

(1) Arbitration. - During the period from the 135th to 160th day (inclusive) after the date on which an incumbent local exchange carrier receives a request for negotiation under this section, the carrier or any other party to the negotiation may petition a State commission to arbitrate any open issues.

Section 252(b)(4)(C) states that the State Commission shall resolve each issue set forth in the petition and response, if any, by imposing the appropriate conditions as required. This section requires this Commission to conclude the resolution of any unresolved issues not later than 9 months after the date on which the local exchange carrier received the request under this section.

On April 18, 1996, American Communications Services, Inc., American Communications Services of Jacksonville, Inc., and American Communications Services of Tampa, Inc. (collectively, ACSI), formally requested negotiations with GTE Florida, Inc. (GTEFL), under Section 251 of the Act. On September 26, 1996, ACSI filed a Petition for Arbitration with this Commission. The Commission assigned ACSI's Petition Docket No. 961169-TP.

On April 19, 1996, Sprint Communications Company, L.P. (Sprint), formally requested negotiations with GTEFL under Section 252 of the Act. On September 26, 1996, Sprint filed a Petition for Arbitration of Proposed Interconnection Agreement under the Telecommunications Act of 1996. The Commission assigned Sprint's Petition Docket No. 961173-TP.

Dockets 961169-TP and 961173-TP, were consolidated and set for hearing by Order No. PSC-96-1283-PCO-TP, issued October 15, 1996. However, ACSI filed a Notice of Withdrawal of its Petition for Arbitration with GTEFL on October 30, 1996. Accordingly, Docket No. 961169 was closed. Therefore, the hearing scheduled to begin on December 5, 1996, will be limited to those issues identified in Docket No. 961173-TP.

II. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

A. Any information provided pursuant to a discovery request for which proprietary confidential business information status is requested shall be treated by the Commission and the parties as confidential. The information shall be exempt from Section 119.07(1), Florida Statutes, pending a formal ruling on such request by the Commission, or upon the return of the information to

the person providing the information. If no determination of confidentiality has been made and the information has not been used in the proceeding, it shall be returned expeditiously to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of the proceeding, it shall be returned to the person providing the information within the time periods set forth in Section 364.183(2), Florida Statutes.

B. It is the policy of the Florida Public Service Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 364.183, Florida Statutes, to protect proprietary confidential business information from disclosure outside the proceeding.

In the event it becomes necessary to use confidential information during the hearing, the following procedures will be observed:

- 1) Any party wishing to use any proprietary confidential business information, as that term is defined in Section 364.183, Florida Statutes, shall notify the Prehearing Officer and all parties of record by the time of the Prehearing Conference, or if not known at that time, no later than seven (7) days prior to the beginning of the hearing. The notice shall include a procedure to assure that the confidential nature of the information is preserved as required by statute.
- 2) Failure of any party to comply with 1) above shall be grounds to deny the party the opportunity to present evidence which is proprietary confidential business information.
- 3) When confidential information is used in the hearing, parties must have copies for the Commissioners, necessary staff, and the Court Reporter, in envelopes clearly marked with the nature of the contents. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.

- 4) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise the confidential information. Therefore, confidential information should be presented by written exhibit when reasonably possible to do so.
- 5) At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the Court Reporter shall be retained in the Division of Records and Reporting confidential files.

Post-hearing procedures

Rule 25-22.056(3), Florida Administrative Code, requires each party to file a post-hearing statement of issues and positions. A summary of each position of no more than 50 words, set off with asterisks, shall be included in that statement. If a party's position has not changed since the issuance of the prehearing order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 50 words, it must be reduced to no more than 50 words. The rule also provides that if a party fails to file a post-hearing statement in conformance with the rule, that party shall have waived all issues and may be dismissed from the proceeding.

A party's proposed findings of fact and conclusions of law, if any, statement of issues and positions, and brief, shall together total no more than 60 pages, and shall be filed at the same time. The prehearing officer may modify the page limit for good cause shown. Please see Rule 25-22.056, Florida Administrative Code, for other requirements pertaining to post-hearing filings.

III. PREFILED TESTIMONY AND EXHIBITS

Testimony of all witnesses to be sponsored by the parties has been prefiled. All testimony which has been prefiled in this case will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to appropriate objections. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. After all

parties and Staff have had the opportunity to object and cross-examine, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer.

IV. ORDER OF WITNESSES

<u>WITNESS</u>	<u>APPEARING FOR</u>	<u>ISSUES #</u>
<u>DIRECT / REBUTTAL</u>		
Michael R. Hunsucker ¹ (Rebuttal)	Sprint	All
David E. Stahly (Direct & Rebuttal)	Sprint	2, 5, 10
David Sibley ² (Direct)	GTEFL	2, 8, 10
Bert I. Steele & Dennis B. Trimble as a panel (Direct)	GTEFL	2, 8, 10
Douglas E. Wellemeyer (Direct & Rebuttal)	GTEFL	3, 4, 5
Mike Drew (Direct & Rebuttal)	GTEFL	2 (general OSS pricing policy, 6, 7, 8, 9)

¹Michael R. Hunsucker is also adopting the direct testimony of Tony Key on all issues.

²David Sibley is also adopting the direct testimony of Michael J. Doane, Issues 2, 8, 10.

<u>WITNESS</u>	<u>APPEARING FOR</u>	<u>ISSUES #</u>
Beverly Y. Menard ³	GTEFL	See Footnote No. 3

V. BASIC POSITIONS

SPRINT: Congress has created an historic opportunity for the Florida Public Service Commission by passing the Telecommunications act of 1996. The Act provides the framework for real local telephone service competition designed to benefit Florida consumers. This framework is intended to enable new entrants to effectively compete, not only with other new entrants, but with the incumbent LEC. The Act in conjunction with the FCC Order and Rules ensures that the incumbent LEC allows interconnection at any technically feasible point and at parity with itself; unbundle certain elements of the network; to price the elements based upon TELRIC; provide for the resale of retail services at wholesale rates that are absent avoidable costs; and make prices, terms and conditions available to all new entrants on a nondiscriminatory basis.

Effective competition can only be accomplished if the Commission implements the Act and FCC Rules to the furthest extent possible. New entrants must be enabled to compete on equal terms with the incumbent LEC in addition to other new entrants. In this regard, Sprint requests that the Commission adopt the contract in Sprint's Exhibit 4 to the Sprint Petition. This contract, once implemented, will allow the consumer to determine who is successful in the market.

GTEFL: The Telecommunications Act of 1996 (Act) holds the promise of creating a robust, facilities-based local exchange telephone marketplace. To this end, Congress has required the incumbent local exchange carriers (ILECs) to open up their networks to competitors. Congress was concerned, however, not only with ensuring access to the local network, but also with ensuring that

³Beverly Y. Menard will not offer testimony of her own; however, she is adopting the direct and rebuttal testimony of William E. Munsell, Issues 2 and 10, and Donald W. McLeod, Issues 2, 3, 5, 6, 7, 8, 10 and 23.

ILECs recover their costs and earn a reasonable profit on their investments.

This dual goal can be achieved only through adoption of prices that encourage efficient market entry, encourage facilities-based competition, and send pricing signals that will maximize consumer welfare. To this end, GTEFL urges the Commission to adopt GTEFL's prices, which reflect forward-looking incremental costs and which include a reasonable share of forward-looking joint and common costs, as determined by the market.

The Commission should reject Sprint's proposed prices, which are substantially understated and unlawful. Sprint's proposal for pricing unbundled elements--a uniform mark-up above total element long-run incremental cost (TELRIC)--is arbitrary and lacking in any economic or business logic. Its recommendation for wholesale pricing is based on the sole objective is to create the maximum possible discount off retail rates. In short, Sprint's pricing methodologies would never produce fair and efficient competition and would deny GTEFL full recovery of its forward-looking and historic costs. This outcome will violate the Act, as well as the federal and Florida Constitutions.

With regard to the non-price aspects of this case, GTEFL asks the Commission to recognize GTEFL's property rights and its interest in the security and reliability of its network. GTEFL should not be forced to operate that network solely for the benefit of its competitors, as Sprint would have it do. The Commission must resolve the disputed issues in a way that promotes competition, not particular competitors. GTEFL's positions are consistent with this objective.

D., E., F. Questions of Fact, Law, and Policy
GTEFL considers all of the issues in this case to be mixed questions of fact, law, and policy.

STAFF: None pending discovery.

VI. ISSUES AND POSITIONS

Issues 1, and 11 through 22 have been withdrawn.

ISSUE 2: What should the rates be for each of the following items:

- Network Interface Device;
- Local Loop;
- Local Switching;
- Interoffice Transmission Facilities;
- Tandem Switching;
- Signaling and Call Related Databases?

SPRINT: Sprint asserts that the rates for unbundled network elements listed above should be based upon the TELRIC of a given element, utilizing forward-looking, rather than historical, assumptions for investment, expenses and overhead loadings

As a matter of marketplace parity, however, Sprint would accept the ordered rates as established by the AT&T/GTEFL arbitration's, and believes that to vary prices among competitors for services purchased from the same supplier in the same market would be unjust and discriminatory.

Further, Sprint does not agree with GTEFL's input and loading assumptions and resulting prices. Sprint also contends that GTEFL should deaverage its unbundled loops, switching and transport into at least three geographic zones, based on cost differences.

GTEFL: GTEFL will, for the most part, need to evaluate unbundling requests in a case-by-case way. Assuming a particular request is technically feasible, the terms and conditions under which the item is offered will necessarily vary with the nature of that item and the specifics of the request. It is thus impossible for the Commission to determine, on a blanket basis, the terms and conditions that will govern specific requests for unbundling or access to particular GTEFL systems.

The Commission can, however, decide how rates will be set for the items GTEFL will make available. Except for the already-tariffed services, rates should be set at total long-run incremental cost, as calculated by GTEFL, plus a reasonable share of joint and common costs. A departure from the standard set forth by GTEFL will effect an unconstitutional taking of its property.

STAFF: No position at this time.

ISSUE 3: Should GTEFL be prohibited from placing any limitations on Sprint's ability to combine unbundled network elements with one another, or with resold services, or with Sprint's, or a third party's facilities to provide telecommunications services to consumers in any manner Sprint chooses?

SPRINT: GTEFL should be prohibited from restricting Sprint's ability to combine network elements. The FCC spoke extensively on this in its Order, paragraphs 292, 328-329, and established FCC Rules Sections 51.309 and 51.315. See also Section 251(c)(3) of the Act.

GTEFL: Reasonable restrictions must be placed on Sprint's ability to combine unbundled elements, resold services, and facilities. Otherwise, Sprint will be able to circumvent the Act's pricing mandates, which are deliberately different for unbundled elements and services offered for resale. Alternative local exchange carriers (ALECs) should not be allowed to reassemble network elements to avoid taking wholesale offerings. Neither Congress nor the FCC intended this sort of tariff arbitrage, which will give an unfair windfall to GTEFL's competitors.

STAFF: No position at this time.

ISSUE 4: What services provided by GTEFL, if any, should be excluded from resale?

SPRINT: GTEFL services available for resale should include all services offered at retail to end users, including promotional (more than 90 days), proprietary, enhanced, grandfathered, packaged, individual customer-based, contracted and sunsetted services. See Section 251(c)(4)(A) of the Act. See also, Order, paragraphs 871, 948, 956, and 968; FCC Rules Section 51.603.

GTEFL must either make each of its retail service offerings available for resale without unreasonable or discriminatory conditions or limitations, or remove from general wholesale prices as an avoided cost "social program" costs that GTEFL no longer funds. See Section

251(c)(4)(A) of the Act and FCC Rules Sections 51.603, 51.605.

GTEFL must make each of its retail service offerings available for resale without unreasonable or discriminatory conditions or limitations. See Section 251(c)(4) of the Act and FCC Rules, Sections 51.603 and 51.609.

The wholesale pricing structure should mirror GTEFL's retail pricing structure, as, for example, in volume discounts, flat or measured charges, etc. See FCC Order paragraphs 871, 907, et. seq. See also FCC Rule Sections 51.607-51-609.

GTEFL: The Commission should exclude from resale below-cost services; promotions; future advanced intelligent network (AIN) services; public and semi-public payphone lines; and non-telecommunications services. GTEFL will resell, but not at wholesale rates, services already priced at wholesale; operator services and directory assistance; non-recurring charge items; and future contracts. These exceptions are permissible under the FCC's Order implementing the Act, because they are reasonable and nondiscriminatory.

STAFF: No position at this time.

ISSUE 5: What are the appropriate wholesale recurring and non-recurring charges, terms and conditions for GTEFL to charge when Sprint purchases GTEFL's retail services for resale?

SPRINT: Generally, pricing of wholesale recurring and non-recurring services should be based on the retail services less avoided costs. Advertising are avoided costs. Call completion costs (Operator Services) are avoided when Sprint uses its own operator services. Number service costs (Directory Assistance) are avoided when Sprint uses its own operators to perform Directory Assistance. Some product management costs are avoided. All retail sales expenses are avoided costs. Retail uncollectible expenses relating to wholesale services sold to Sprint are avoidable costs since Sprint will be responsible for all charges. See Section 252(d)(3) of the Act. See also, FCC Order Sections 911, 917 and FCC Rules Sections 51.609.

In no instance should "opportunity costs" be included as an offset to avoided costs, as the FCC explicitly excluded such offsets, and its inclusion would serve to insulate GTEFL from competition, via its competitors.

As a matter of marketplace parity, Sprint would accept the rates as set forth in the preceding AT&T/GTEFL arbitration, and believes that GTEFL must be required to offer services to all participants in a given market at the same prices.

GTEFL: Consistent with the language of the Act, wholesale rates should be based on avoided, not avoidable, costs. Thus, prices for resold services should equal retail rates minus net avoided costs. GTEFL's avoided cost studies fully satisfy this objective. Unlike Sprint's discount recommendation, which lacks any empirical foundation, GTEFL's cost studies are based on analysis of the expense associated with activities GTEFL will actually avoid in wholesaling services.

STAFF: No position at this time.

ISSUE 6: Should GTEFL be required to provide real-time and interactive non-discriminatory access via electronic interfaces to perform the following:

- Pre-Service Ordering;
- Maintenance/Repair;
- Service Order Processing and Provisioning;
- Customer Usage Data Transfer/ Billing Interfaces;
- Local Account Maintenance;
- Network Identification Database?

SPRINT: Yes. Operational interfaces must be provided at parity with GTEFL. Nondiscriminatory access necessarily includes access to the functionality of any internal gateway systems GTEFL employs in performing pre-ordering, ordering, provisioning, maintenance, repair and billing functions for itself. See Section 251 (c) of the Act and FCC Order, paragraphs 520-527.

GTEFL: GTEFL will provide interactive, real-time, non-discriminatory access to its OSS via electronic interfaces, as Sprint has requested. While GTEFL will provide such access to the OSS it uses for its own operations, it has no obligation under the Act to build

new systems. Thus, to the extent that any of the above-listed capabilities would require creation of new systems, GTEFL would not provide these capabilities.

STAFF: No position at this time.

ISSUE 7: If GTEFL is required to provide real-time and interactive non-discriminatory access via electronic interfaces to perform any of the items listed in Issue 6, in what time frame should these items be deployed?

SPRINT: GTEFL should be ordered to immediately implement a mutually acceptable real-time interface (gateway) for local service delivery as an interim measure while a parity electronic interface is being developed. Fully electronic interfaces must be provided no later than 12 months after industry standards are adopted. See FCC Order, paragraph 525. This requirement is not discharged by offering access that requires human intervention. See Section 251(c) of the Act, FCC Order, paragraphs 520, 523.

GTEFL: It is, as yet, impossible to establish any time frame for deployment of the electronic bonding Sprint seeks. Before interfaces can be built, industry standards must be determined and Sprint must give GTEFL detailed specifications for the types of access it needs for each system. To the extent that it can do so in the absence of these standards and specifications, GTEFL is assessing the tasks are necessary to build the requested interfaces.

STAFF: No position at this time.

ISSUE 8: What are the costs incurred by GTEFL in Issue 7, and how should those costs be recovered?

SPRINT: GTEFL is required to provide competing carriers with non-discriminatory access to OSS functions under just, reasonable and nondiscriminatory terms.

Sprint is not in a position to estimate the costs of implementing OSS interfaces for GTEFL. The TELRIC of OSS interfaces should be recovered from all users (including GTEFL if it utilizes such interfaces) on a competitively neutral basis. Sprint is not willing to incur any cost

related to upgrade GTEFL's IS system that are not directly related to OSS. To the extent GTEFL has antiquated systems, it must solely incur the cost of upgrades that would enable it to implement OSS interfaces. See Section 251(c) of the Act, FCC Order, paragraphs 516-517.

GTEFL: As noted above, in response to Issue 7, the industry standards and Sprint-specific plans for access that GTEFL would need to build the requested interfaces have not yet been completed. Without a full understanding of the tasks needed to complete the interfaces, it is impossible to know the costs associated with these tasks. It is not necessary, however, to know what the costs will be before determining how cost recovery should occur. Sprint should pay all the costs associated with its requests for electronic interfaces and ongoing access to GTEFL's OSS. GTEFL must fully recover the costs of both interim and long-term access.

STAFF: No position at this time.

ISSUE 9: Is it appropriate for GTEFL to provide customer service records to Sprint for pre-ordering purposes? If so, under what conditions?

SPRINT: Yes. A customer's service record may be disclosed for the purpose of enabling the new carrier to provide service under the exception in Section 222(d) of the Act. GTEFL should not refuse to execute a change "As is" service order for a customer switching to Sprint local service. See Sections 222 and 251(c)(4) of the Act. See also FCC Order paragraphs 516-523.

As agent for its end users, Sprint, under blanket letter of agency authority, should be allowed to retrieve this information and circumvent an inefficient and error-prone process. BellSouth has agreed to provide "transfer as is" conversions; GTEFL should be required to do the same.

GTEFL: GTEFL assumes that "customer service records" in this Issue refers to information about GTEFL's customers that GTEFL has obtained in providing local telephone service to those customers--in other words, customer proprietary network information (CPNI). Under the Act, GTEFL cannot disclose such information without written customer authorization. Thus, GTEFL cannot provide such information under any conditions. Disclosure of CPNI for "pre-ordering purposes" would be particularly troublesome

because CPNI would be transferred to another carrier even before a customer has decided to take service from that carrier.

STAFF: No position at this time.

ISSUE 10: What rates are appropriate for the transport and termination of local traffic between Sprint and GTEFL?

SPRINT: Sprint agrees with GTEFL's use of TELRIC as the appropriate cost methodology. Sprint does not agree with GTEFL's input and loading assumptions and resulting prices. (See Response to 2 above.)

GTEFL: The Act requires each party to recover its true costs of transport and termination. GTEFL's rates for terminating Sprint's traffic should thus be cost-based. Rates should be set in accord with the Market Determined-Efficient Component Pricing Rule. A symmetrical approach will result in under recovery of GTEFL's costs, thus forcing GTEFL to subsidize Sprint.

GTEFL will permit Sprint to interconnect at any of the minimum technically feasible points required by the FCC. Interconnection at additional points should be at GTEFL's discretion, in accordance with technical factors. Technical feasibility should not be presumed (and interconnection mandated) just because an ALEC may have already interconnected at a given point. The cost causer--Sprint, in this case--should pay GTEFL all of the costs it incurs to provide interconnection at a particular point, in accordance with the Act.

STAFF: No position at this time.

ISSUE 23: Should GTEFL make available any price, term and/or condition offered to any carrier by GTEFL to Sprint on a Most-Favored Nation's (MFN) basis? If so, what restrictions, if any, would apply?

SPRINT: Sprint asserts that GTEFL is required to make available, without unreasonable delay, any more favorable terms for individual services, network elements, and interconnection which GTEFL offers to others. See Section 251(i) of the Act for full statement of requirements. See also FCC Order paragraphs 1310, 1316, FCC Rule Section 51.809.

GTEFL: No. Sprint's MFN proposal would permit it to pick and choose provisions from GTEFL's various agreements with other ALECs. Sprint's position, if the Commission accepts it, will destroy the Act's intended negotiation process, in which a comprehensive agreement is produced out of concessions and compromise from both parties. If Sprint wants terms from an agreement with another ALEC, it must abide by the entire agreement, rather than just those items that might be most favorable to it. Furthermore, Sprint's rationale for its MFN position--the FCC's Rule 51.809--is unpersuasive, since that Rule has been stayed by the Eighth Circuit.

STAFF: No position at this time.

NOTE: Issues 24 and 25 are procedural issues which were added after the Prehearing Conference.

ISSUE 24: Should the agreement be approved pursuant to Section 252 (e)?

ISSUE 25: What are the appropriate post-hearing procedures for submission and approval of final arbitrated agreement?

VII. EXHIBIT LIST

<u>WITNESS</u>	<u>PROFFERED BY</u>	<u>I.D. NO.</u>	<u>DESCRIPTION</u>
Michael R. Hunsucker	Sprint	_____	Sprint's Term Sheet
		MRH-1	
		_____	Sprint's Proposed Resale and Interconnection Agreement
		MRH-2	
David E. Stahly	Sprint	_____	Sprint's Term Sheet Matrix
		MRH-3	
		_____	Expense Analysis
		DES-1	
		_____	Cost Analysis
		DES-2	
*Larry Hartshorn	GTEFL	_____	Central office video
		LH-1	

<u>WITNESS</u>	<u>PROFFERED BY</u>	<u>I.D. NO.</u>	<u>DESCRIPTION</u>
*Larry Hartshorn	GTEFL	<u> </u> LH-2	Central Office Diagram
Douglas E. Wellemeyer	GTEFL	<u> </u> DEW-1	avoided cost materials
		<u> </u> DEW-2	avoided cost materials
**Michael J. Doane	GTEFL	<u> </u> DSS-1	Curriculum vitae David Sibley
		<u> </u> MJD-2	Economic Report
Bert I. Steele	GTEFL	<u> </u> BIS-1	TELRIC/TSLRIC methodology, attached to Steele Direct Testimony
		<u> </u> BIS-2	cost study and supporting documenta- tion, attached to Response to Sprint Arbitration filing.
Dennis B. Trimble	GTEFL	<u> </u> DBT-1	costing and pricing materials, attached to Trimble Direct Testimony
		<u> </u> DBT-2	costing and pricing materials, attached to Trimble Direct Testimony
		<u> </u> DBT-3	costing and pricing materials, attached to Trimble Direct Testimony

<u>WITNESS</u>	<u>PROFFERED BY</u>	<u>I.D. NO.</u>	<u>DESCRIPTION</u>		
Dennis B. Trimble	GTEFL	<u>DBT-4</u>	costing and pricing materials, attached to Trimble Direct Testimony		
		<u>DBT-5</u>	costing and pricing materials, attached to Trimble Direct Testimony		
		<u>DBT-6</u>	costing and pricing materials, attached to Trimble Direct Testimony		
		<u>DBT-7</u>	costing and pricing materials, attached to Trimble Direct Testimony		
		<u>DBT-8</u>	costing and pricing materials, attached to Trimble Direct Testimony		
		Mike Drew	GTEFL	<u>MD-1</u>	OSS processes, attached to Drew Direct Testimony
				<u>MD-2</u>	OSS processes, attached to Drew Direct Testimony

*Testimony will be stipulated into the record.

**Testimony is being adopted by David Sibley.

Parties and Staff reserve the right to identify additional exhibits for the purpose of cross-examination.

VIII. PROPOSED STIPULATIONS

None.

IX. PENDING MOTIONS

None.

X. RULINGS

- 1) Direct and rebuttal testimony shall be entered consecutively and cross examination shall be combined.
- 2) GTEFL witness Menard will not be permitted to testify at both the start and the finish of GTEFL's case, but only once.
- 3) GTEFL witnesses Steele and Trimble will be permitted to testify as a panel.
- 4) Sprint witness Hunsucker will be permitted 10 minutes to present a summary of his direct testimony, which may include a demonstrative exhibit.
- 5) GTEFL witness Menard will be permitted 10 minutes to present a summary of her direct testimony, which may include a demonstrative exhibit.

It is, therefore,

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

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By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 3rd day of December, 1996.


DIANE K. KIESLING, Commissioner and
Prehearing Officer

(S E A L)

MMB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.