



Box 2214
Tallahassee, Florida 32316

July 7, 1997

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

Re: Generic consideration of incumbent local exchange (ILEC)
business office practices & tariff provisions in the
implementation of intraLATA presubscription.

Dear Ms. Bayo:

Enclosed for filing is the original and fifteen (15) copies
of Sprint-Florida, Inc.'s Generic consideration of incumbent
local exchange (ILEC) business office practices & tariff
provisions in the implementation of intraLAT
presubscription.

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

Thank you for your assistance in this matter.

Sincerely,

Charles J. Rehwinkel

CJR/th

Enclosures

RECEIVED & FILED

SECRETARIAT OF RECORDS

DOCUMENT NUMBER-DATE

06805 JUL-75

ACK
AFA _____
AFB _____
CAF _____
CJR _____
CJH _____
CJM _____
CJN _____
CJP _____
CJR _____
CJW _____
CJX _____
CJY _____
CJZ _____
CJAA _____
CJAB _____
CJAC _____
CJAD _____
CJAE _____
CJAF _____
CJAG _____
CJAH _____
CJAI _____
CJAJ _____
CJAK _____
CJAL _____
CJAM _____
CJAN _____
CJAO _____
CJAP _____
CJAQ _____
CJAR _____
CJAS _____
CJAT _____
CJAU _____
CJAV _____
CJAW _____
CJAX _____
CJAY _____
CJAZ _____
CJBA _____
CJBB _____
CJBC _____
CJBD _____
CJBE _____
CJBF _____
CJBG _____
CJBH _____
CJBI _____
CJBJ _____
CJBK _____
CJBL _____
CJBM _____
CJBN _____
CJBO _____
CJBP _____
CJBQ _____
CJBR _____
CJBS _____
CJBT _____
CJBU _____
CJBV _____
CJBW _____
CJBX _____
CJBZ _____
CJCA _____
CJCB _____
CJCC _____
CJCD _____
CJCE _____
CJCF _____
CJCG _____
CJCH _____
CJCJ _____
CJCK _____
CJCL _____
CJCM _____
CJCN _____
CJCO _____
CJCP _____
CJCQ _____
CJCR _____
CJCS _____
CJCX _____
CJCY _____
CJCZ _____
CJDA _____
CJDB _____
CJDC _____
CJDD _____
CJDE _____
CJDF _____
CJDG _____
CJDH _____
CJDI _____
CJDJ _____
CJDK _____
CJDL _____
CJDM _____
CJDN _____
CJDO _____
CJDQ _____
CJDR _____
CJDS _____
CJDW _____
CJDY _____
CJDZ _____
CJEA _____
CJEB _____
CJEC _____
CJED _____
CJEE _____
CJEF _____
CJEG _____
CJEH _____
CJEI _____
CJEJ _____
CJEK _____
CJEL _____
CJEM _____
CJEN _____
CJEO _____
CJEP _____
CJEQ _____
CJER _____
CJES _____
CJEW _____
CJEY _____
CJEZ _____
CJFA _____
CJFB _____
CJFC _____
CJFD _____
CJFE _____
CJFF _____
CJFG _____
CJFH _____
CJFI _____
CJFJ _____
CJFK _____
CJFL _____
CJFM _____
CJFN _____
CJFO _____
CJFP _____
CJFQ _____
CJFR _____
CJFS _____
CJFW _____
CJFY _____
CJFZ _____
CJGA _____
CJGB _____
CJGC _____
CJGD _____
CJGE _____
CJGF _____
CJGG _____
CJGH _____
CJGI _____
CJGJ _____
CJGK _____
CJGL _____
CJGM _____
CJGN _____
CJGO _____
CJGP _____
CJGQ _____
CJGR _____
CJGS _____
CJGW _____
CJGY _____
CJGZ _____
CJHA _____
CJHB _____
CJHC _____
CJHD _____
CJHE _____
CJHF _____
CJHG _____
CJHI _____
CJHJ _____
CJHK _____
CJHL _____
CJHM _____
CJHN _____
CJHO _____
CJHP _____
CJHQ _____
CJHR _____
CJHS _____
CJHW _____
CJHY _____
CJHZ _____
CJIA _____
CJIB _____
CJIC _____
CJID _____
CJIE _____
CJIF _____
CJIG _____
CJIH _____
CJII _____
CJIJ _____
CJIK _____
CJIL _____
CJIM _____
CJIN _____
CJIO _____
CJIP _____
CJIQ _____
CJIR _____
CJIS _____
CJIW _____
CJIY _____
CJIZ _____
CJJA _____
CJJB _____
CJJC _____
CJJD _____
CJJE _____
CJJF _____
CJJG _____
CJJH _____
CJJI _____
CJJJ _____
CJJK _____
CJJL _____
CJJM _____
CJJN _____
CJJQ _____
CJJR _____
CJJS _____
CJJW _____
CJJY _____
CJJZ _____
CJKA _____
CJKB _____
CJKC _____
CJKD _____
CJKE _____
CJKF _____
CJKG _____
CJKH _____
CJKI _____
CJKJ _____
CJKK _____
CJKL _____
CJKM _____
CJKN _____
CJKO _____
CJKP _____
CJKQ _____
CJKR _____
CJKS _____
CJKW _____
CJKY _____
CJKZ _____
CJLA _____
CJLB _____
CJLC _____
CJLD _____
CJLE _____
CJLF _____
CJLG _____
CJLH _____
CJLI _____
CJLJ _____
CJLK _____
CJLL _____
CJLM _____
CJLN _____
CJLO _____
CJLP _____
CJLQ _____
CJLR _____
CJLS _____
CJLW _____
CJLY _____
CJLZ _____
CJMA _____
CJMB _____
CJMC _____
CJMD _____
CJME _____
CJMF _____
CJMG _____
CJMH _____
CJMI _____
CJMJ _____
CJMK _____
CJML _____
CJMN _____
CJMQ _____
CJMR _____
CJMS _____
CJMW _____
CJMY _____
CJMZ _____
CJNA _____
CJNB _____
CJNC _____
CJND _____
CJNE _____
CJNF _____
CJNG _____
CJNH _____
CJNI _____
CJNJ _____
CJNK _____
CJNL _____
CJNM _____
CJNO _____
CJNP _____
CJNQ _____
CJNR _____
CJNS _____
CJNW _____
CJNY _____
CJNZ _____
CJOA _____
CJOB _____
CJOC _____
CJOD _____
CJOE _____
CJOF _____
CJOG _____
CJOH _____
CJOI _____
CJOJ _____
CJOK _____
CJOL _____
CJOM _____
CJON _____
CJOQ _____
CJOR _____
CJOS _____
CJOW _____
CJOY _____
CJOZ _____
CJPA _____
CJPB _____
CJPC _____
CJPD _____
CJPE _____
CJPF _____
CJPG _____
CJPH _____
CJPI _____
CJPJ _____
CJPK _____
CJPL _____
CJPM _____
CJPN _____
CJPO _____
CJPP _____
CJPQ _____
CJPR _____
CJPS _____
CJPW _____
CJPY _____
CJPZ _____
CJQA _____
CJQB _____
CJQC _____
CJQD _____
CJQE _____
CJQF _____
CJQG _____
CJQH _____
CJQI _____
CJQJ _____
CJQK _____
CJQL _____
CJQM _____
CJQN _____
CJQO _____
CJQP _____
CJQQ _____
CJQR _____
CJQS _____
CJQW _____
CJQY _____
CJQZ _____
CJRA _____
CJRB _____
CJRC _____
CJRD _____
CJRE _____
CJRF _____
CJRG _____
CJRH _____
CJRI _____
CJRJ _____
CJRK _____
CJRL _____
CJRM _____
CJRN _____
CJRO _____
CJRP _____
CJRQ _____
CJRR _____
CJRS _____
CJRW _____
CJRY _____
CJRZ _____
CJSA _____
CJSB _____
CJSC _____
CJSD _____
CJSE _____
CJSF _____
CJSG _____
CJSH _____
CJSI _____
CJSJ _____
CJSK _____
CJSL _____
CJSM _____
CJSN _____
CJSO _____
CJSP _____
CJSQ _____
CJSR _____
CJS S _____
CJSW _____
CJSY _____
CJSZ _____
CJTA _____
CJTB _____
CJTC _____
CJTD _____
CJTE _____
CJTF _____
CJTG _____
CJTH _____
CJTI _____
CJTJ _____
CJTK _____
CJT L _____
CJTM _____
CJT N _____
CJTO _____
CJTP _____
CJTQ _____
CJTR _____
CJTS _____
CJT W _____
CJTY _____
CJT Z _____
CJUA _____
CJUB _____
CJUC _____
CJUD _____
CJUE _____
CJUF _____
CJUG _____
CJUH _____
CJUI _____
CJUJ _____
CJUK _____
CJUL _____
CJUM _____
CJUN _____
CJUO _____
CJUP _____
CJUQ _____
CJUR _____
CJUS _____
CJUW _____
CJUY _____
CJUZ _____
CJVA _____
CJVB _____
CJVC _____
CJVD _____
CJVE _____
CJVF _____
CJV G _____
CJVH _____
CJVI _____
CJVJ _____
CJV K _____
CJV L _____
CJV M _____
CJV N _____
CJV O _____
CJV P _____
CJV Q _____
CJV R _____
CJV S _____
CJV W _____
CJV Y _____
CJV Z _____
CJWA _____
CJWB _____
CJWC _____
CJWD _____
CJWE _____
CJWF _____
CJWG _____
CJWH _____
CJWI _____
CJWJ _____
CJWK _____
CJWL _____
CJWM _____
CJWN _____
CJWO _____
CJWP _____
CJWQ _____
CJWR _____
CJWS _____
CJWW _____
CJWY _____
CJWZ _____
CJXA _____
CJXB _____
CJXC _____
CJXD _____
CJXE _____
CJXF _____
CJXG _____
CJXH _____
CJXI _____
CJXJ _____
CJXK _____
CJXL _____
CJXM _____
CJXN _____
CJXO _____
CJXP _____
CJXQ _____
CJXR _____
CJXS _____
CJXW _____
CJXY _____
CJXZ _____
CJYA _____
CJYB _____
CJYC _____
CJYD _____
CJYE _____
CJYF _____
CJYG _____
CJYH _____
CJYI _____
CJYJ _____
CJYK _____
CJYL _____
CJYM _____
CJYN _____
CJYO _____
CJYP _____
CJYQ _____
CJYR _____
CJYS _____
CJYW _____
CJY Y _____
CJYZ _____
CJZA _____
CJZB _____
CJZC _____
CJZD _____
CJZE _____
CJZF _____
CJZG _____
CJZH _____
CJZI _____
CJZJ _____
CJZK _____
CJZL _____
CJZM _____
CJZN _____
CJZO _____
CJZP _____
CJZQ _____
CJZR _____
CJZS _____
CJZW _____
CJZY _____
CJZZ _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Generic consideration)
of incumbent local exchange)
(ILEC) business office practices)
and tariff provisions in the)
implementation of intraLATA)
presubscription.)
_____)**

Filed: July 7, 1997

Docket No. 970226-TP

Sprint-Florida's Petition on Proposed Agency Action

Sprint-Florida, Incorporated ("Sprint-Florida") hereby files its Petition on Proposed agency Action to protest and to request either clarification or a hearing on certain matters covered by Order No. PSC-97-0709-FOF-TP ("PAA Order"). As grounds for its protest and request for hearing, Sprint-Florida hereby states:

Petitioner is :

**Sprint-Florida, Incorporated
555 Lake Border Drive
Apopka, Florida 32**

Respondent is represented by :

**Charles J. Rehwinkel
General Attorney
1313 Blair Stone Rd.
MC FLTLHO0107
Tallahassee, Florida 32301**

Service may be made at the above location,

1. Sprint-Florida is a party to this docket by virtue of the Commission making this proceeding generic and applicable to all local exchange carriers such that the any decision in this docket would be in accord with the decision made with respect to BellSouth Telecommunications, Inc. in Order No. PSC-97-1569-FOF-TP ("BellSouth Order"), Docket No. 960658-TP. The matters addressed in the PAA Order affect Sprint-Florida's substantial interests

2. Petitioner has followed the proceedings in Docket No. 960658-TP with the understanding that the Commission was in the process of developing policy in the area of intraLATA presubscription. Because that proceeding was based on a complaint regarding a specific company, participation by other parties was not contemplated. Nevertheless it was clear that the outcome of the complaint could likely lead to the opening of a generic docket for application of proposed Commission policy to other LECs, including Sprint-Florida. As anticipated, this proceeding has been established for that reason.

3. In the PAA Order the Commission proposes to generally impose restrictions that are an effort to provide a level playing field in the transition to intraLATA presubscription. Among the restrictions are prohibitions on marketing intraLATA services to customers who contact the incumbent LEC for purposes other than selecting intraLATA carrier(s) – unless the customer introduces the subject – or when the customer is attempting to change his intraLATA provider. The restrictions were limited to a period of 18 months from the date of the order ("the 18 month period"), consistent with the limitation imposed in the BellSouth proceeding (Docket 960658-TP).

4. During the period of December 1996 through the present, Sprint-Florida has not marketed to customers in a manner inconsistent with the provisions to which the 18 month period is applicable. Because of the obvious intent to apply the BellSouth Order to the industry generically, it would not have made sense for Sprint-Florida to operate inconsistently with the emerging policy of the PSC. Sprint-Florida recognized this and has conducted itself consistent

with the customer contact protocols set out in the BellSouth Order.

5. Although Sprint-Florida has some reservations about the approach taken by the Commission, this protest is limited solely to the time frame indicated by the order in Sections B. and C. (See, PAA Order at pp.5-6). Sprint-Florida requests that the 18 month period applicable to Sprint-Florida begin on December 23, 1996 consistent with the BellSouth Order. The Company believes that the Commission possibly misapprehended the underlying basis for having the 18 month period start at a different time. If that is the case, there would be no need for a hearing if the protest was resolved by a clarification that the 18 month periods run concurrently. Otherwise, a hearing is requested for resolution of this issue.

6. The basis for this limited protest is two-fold. First, because the Company has been in compliance with the PSC's proposed practices, there is no basis for applying what would effectively amount to a 24 month limitation. In the broad telecommunications marketplace, this 6 month difference creates an incongruity that has no rational basis other than the fact that the Commission took (understandably) 6 months longer to officially announce the generic application of the policy. Second, reference to the underlying order (the BellSouth Order) and rationale contained therein indicates that the Commission established the 18 month period based on the generic state of the IXC industry in the intraLATA market. In establishing the time frame the commission stated that:

Eighteen months should be ample time for the major interexchange companies (IXCs), to establish themselves in the intraLATA market. In addition, this 18 month period is enough time to increase customers' awareness of the available intraLATA carriers.

Order No. PSC-96-1569-FOF-TP at p.8 Clearly the behavior of customers and competitors in the marketplace is developing independently of the action in either of the two dockets. Inasmuch as the PAA Order is based on the evidence and rationale underlying the BellSouth Order, there should be no reason to apply a different actual limitation period than imposed in the BellSouth Order. Also, to the extent that Sprint-Florida has been acting consistently with the BellSouth Order there has been no hindrance of the development of the IXC marketplace. Because Sprint-

Florida has been in compliance there is no basis for application of an 18 month period other than that contained in the BellSouth Order.

7. In this matter, Sprint-Florida has identified the following issues of fact law or policy which are in dispute. The company reserves the right to raise additional issues within the scope of this protest through the Commission's prehearing process.

(i) What is the appropriate starting point for any time frame imposing marketing restrictions under Order No. PSC-97-0709-FOF-TP? Sprint-Florida's position is that it should be December 23, 1996¹

(ii) Is there any distinction between the facts of Docket No. 960658-TP and Docket No. 970526-TP that would justify different 18 month periods? Sprint-Florida's position is "No".

8. The statutes, rules and orders entitling Sprint-Florida to relief are Chapters 120 and 364, Florida Statutes and Order No. PSC-96-1569-FOF-TP.

WHEREFOR, for the reasons stated above the Commission should afford Sprint-Florida the opportunity to be heard on matters affecting its substantial interests by:

(1) Entering an order resolving this protest by clarifying that the 18 month period begins on December 23, 1996; or alternatively,

(2) Scheduling a hearing for the purpose of determining the appropriate starting point for the 18 month period..

¹The issue and or answer could be stated another way by shortening the period applicable to LECS other than BellSouth to 12 months and leaving the beginning point the same. The end result is that the IXC marketplace would be developing in either BellSouth or Sprint-Florida territory at the same rate so long as there is none of the interference that the PAA Order purports to prevent. As stated herein, Sprint-Florida has not engaged in the proscribed activity.

RESPECTFULLY SUBMITTED this 7th day of July, 1997.



**Charles J. Rehwinkel
General Attorney
Sprint-Florida, Incorporated
P.O. Box 2214
MC FLTLHO0107
Tallahassee, Florida 32301**

**CERTIFICATE OF SERVICE
DOCKET NO. 970526-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S. Mail this 7th day of July, 1997 to the following:

Richard D. Nelson, Esq.
Hopping, Sams & Smith, P.A.
P. O. Box 6526
Tallahassee, Florida 32314

Michael J. Henry, Esq.
Martha P. McMillin, Esq.
MCI Telecommunications Corporation
780 Johnson Ferry Road, Suite 700
Atlanta, GA 30342

Monica Barone, Esq.
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-7704

Ms. Beverly Y. Menard
GTE Florida Incorporated
106 East College Avenue, Suite 1440
Tallahassee, Florida 32301-1440

BellSouth Telecommunications, Inc.
Robert G. Beatty
Nancy B. White
c/o Nancy H. Sims
150 so. Monroe Street, Suite 400
Tallahassee, Florida 32301

Ms. Harriet Eudy
ALLTEL Florida, Inc.
P.O. Box 550
Live Oak, FL 32060-3343

Mr. Bill Thomas
Gulf Telephone Company
P.O. Box 1007
Port St. Joe, FL 32457-1007

Mr. Robert M. Post, Jr.
Indiantown Telephone System, Inc.
P.O. Box 277
Tallahassee, Florida 34956-0277

Ms. Lynn G. Brewer
Northeast Florida Telephone
Company, Inc.
P.O. Box 485
Macclenny, Florida 32063-0485


Mr. Thomas McCabe
Quincy Telephone Company
P.O. Box 189
Quincy, Florida 32353-0189

Mr. John H. Vaughan
St. Joseph Telephone
& Telegraph Company
P.O. Box 220
Port St. Joe, Florida 32456-0220

Ms. Laurie A. Maffett
Frontier Communications
of the South, Inc.
180 S. Clinton Avenue
Rochester, N.Y. 14646-0400

Ms. Lynn B. Hall
Vista-United Telecommunications
P.O. Box 10180
Lake Buena Vista, Florida 32830-0180

Tracy Hatch
AT&T Communications of the
Southern States, Inc.
101 North Monroe Street
Tallahassee, Florida 32311


Charles J. Rehwinkel
Attorney for
Sprint-Florida, Inc.
P.O. Box 2214,
FLTLN00107
Tallahassee, FL 32316-2214
904/847-0244