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ORIGINAL

December 11, 2000

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VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0870

Re: Docket No.: 000075-TP

Dear Ms. Bayo:

On behalf of the Florida Competitive Carriers Association, AT&T Communications of the Southern States, Inc., Intermedia Communications, Inc., WorldCom, Inc., XO Communications, Inc., Time Warner Telecom of Florida, L.P., e.spire, the Florida Cable Telecommunications Association, Allegiance Telecom of Florida, Inc., Global Naps, Inc., US LEC of Florida, Inc., and Cox Florida Telcom, L.P., enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Joint Motion to Extend Filing Dates, Bifurcate, and Request for Issue Identification/Status Conference.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me in the envelope provided. Thank you for your assistance.

Sincerely,

Joseph A. McGlothlin

APP _____
CAF _____
CMP marsh
COM S
CTR _____
ECR _____
LEG Caldwell
OPC _____
PAI _____
RGO _____
SEC I JAM/bae
SER _____ Enclosure
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MCWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, DECKER, KAUFMAN, ARNOLD & STEEN 15849 DEC 11 8

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Investigation into appropriate methods
to compensate carriers for exchange of
traffic subject to Section 251 of the
Telecommunications Act of 1996.

Docket No.: 000075-TP
Filed: December 11, 2000

**Joint Motion to Extend Filing Dates, Bifurcate, and
Request for Issue Identification/Status Conference**

The Florida Competitive Carriers Association, AT&T Communications of the Southern States, Inc., Intermedia Communications, Inc., WorldCom, Inc., XO Communications, Inc., Time Warner Telecom of Florida, L.P., e.spire, the Florida Cable Telecommunications Association, Allegiance Telecom of Florida, Inc., Global Naps, Inc., US LEC of Florida, Inc., and Cox Florida Telcom, L.P. (hereinafter, Parties), pursuant to rule 28-106.204, Florida Administrative Code, request that the Commission: 1) incorporate new Issues 13 and 14 (and clarify the Commission's intent as to new Issues 10 and 17) in the matters scheduled for hearing on March 7-9, 2001, but modify the filing dates for related testimony; 2) bifurcate the proceeding and schedule Supplemental Issue Nos. 10, 11, 12, 15, 16 and 17 for a separate evidentiary hearing, to be conducted expeditiously; 3) immediately convene an Issue Identification meeting/Status Conference for the purpose of discussing the issues and schedule to be followed in this docket. As grounds therefor, the Parties state:

Background

1. This docket was opened on January 21, 2000 to address generic issues related to compensation for ISP traffic. Two issues identification meetings were held - one on July 13, 2000

and one on August 3, 2000. On November 22, 2000, the Commission issued Order No. PSC-00-2229-PCO-TP (Order Establishing Procedure). Based on agreements reached during the Issue Identification meetings, the Order incorporated 9 issues to be addressed in this proceeding. The Order also set out relevant filing dates. Pursuant to the issues and schedule in this Order, parties planned their participation, analyzed the issues, secured witnesses, and prepared testimony. Direct testimony was filed on December 1, 2000. Rebuttal testimony was scheduled to be filed on January 3, 2001.

Revised Schedule

2. On December 7, 2000, the Commission issued PSC-00-2350-PCO-TP (Supplemental Procedural Order). That Order contained a Supplemental Issue List containing 8 new issues. In addition, the Supplemental Procedural Order contained the following new filing dates:

Direct testimony and exhibits on new issues	December 29, 2000
Rebuttal testimony and exhibits on prior issues	January 10, 2001
Rebuttal testimony and exhibits on new issues	January 26, 2001
Prehearing statements on all issues	February 2, 2001

The Parties regard the additional issues as significant and appreciate the willingness of the Commission to investigate them on its own initiative. As the Parties are certain the Commission will agree, it is important that these issues be considered in a manner that affords parties an adequate opportunity to address them and ensures the Commission that it will have the type of record that will enable it to make informed decisions. With these objectives in mind, the Parties have considered whether the amount of time afforded by Order No. PSC-00-2350-PCO-TP and available resources would enable them to address all of the new issues in a manner that protects their interests and assists

the Commission in its decision making.

3. The Parties regard new Issues 13 and 14¹ as closely related to those that have been the focus of the proceeding to this point. For this reason, the undersigned believe it is appropriate to include them with the issues that are scheduled for hearing March 7-9, 2001. However, even without the intervening holidays, the schedule established by Order No. PSC-00-2350-PCO-TP gives parties only three (3) weeks to prepare and file substantive testimony. The schedule simply does not provide adequate time to develop comprehensive testimony on these important issues. The intervening holidays also contribute to the problem, because Parties' representatives and counsel may be unavailable during the last week in December.

4. The time and effort needed to address the issues adequately, together with the intervening holidays, lead the undersigned to respectfully request a modest modification of the deadline for prefiled testimony contained in Order No. PSC-00-2350-PCO-TP.

5. Specifically, the Parties request the Prehearing Officer to approve and establish the following schedule:

Supplemental Direct testimony
and exhibits on Issues 13 and 14
(and necessary legal issues)

January 17, 2001

Rebuttal testimony and exhibits and
prehearing statements on all issues included

¹The Parties are unclear as to the exact intent of news Issue 10 and 17 (and would expect to address them at the requested Issue Identification/Status Conference). The Parties agree that a legal issue related to new Issues 13 and 14 should be included. A legal issue will also be needed in Phase 2 as to the bifurcated issues.

in the March 7-9 hearing²

February 6, 2001

This proposed schedule accommodates the currently scheduled prehearing and hearing dates and requires no change in the other scheduled dates.

Motion to Bifurcate

6. With respect to Issues Nos. 10, 11, 12, 15, 16 and 17, the Parties respectfully submit that the procedural schedule in Order No. PSC-00-2350-PCO-TP is insufficient to enable them to prepare for hearing adequately and would result in a record that would be correspondingly inadequate to fully inform the Commission as it fashions the important policy decisions that stem from the issues. Unlike Issues Nos. 13 and 14, these additional issues are not sufficiently related to Issues 1-9 to render the effort that has been expended to date of significant value in responding to them. In fact, at this point, the parties have not determined whether the same or different witnesses will be involved in analyzing these issues and preparing testimony. As a result, the Parties require more time than is afforded by the schedule in Order No. PSC-00-2350-PCO-TP to prepare adequately. Rather than extend the entire schedule, which would delay a decision on the important issues that were contemplated by original Order No. PSC-00-2229-PCO-TP, as augmented by new Issues 13 and 14, the Parties respectfully request the Prehearing Officer bifurcate the proceeding and establish a separate track, including a separate evidentiary hearing, to consider Issues 10, 11, 12, 15, 16, 17.


Request for Issue Identification/Status Conference

²The Parties suggest, given their experience in UNE cost docket, that it is simpler and more efficient, where possible, to file one round of rebuttal testimony.

7. Finally, the Parties request that the Prehearing Officer immediately convene an Issue Identification meeting/Status Conference meeting to discuss this motion as well as the wording of the new issues. Time is of the essence and the parties need to clearly establish common understanding of the issues as well as a workable time frame for the proceeding.

8. The undersigned represent that they are authorized to state that the positions contained in this Motion are the positions of all the Parties listed above. The Parties to this motion have informed the ILECs of the contents of the Motion but have not yet received a response as to their position.

WHEREFORE, for the foregoing reasons, the Parties respectfully request that the Prehearing Officer grant this Joint Motion to Extend Filing Dates, Bifurcate, and Request for Issue Identification/Status Conference.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Joint Motion to, Extend Filing Dates, Bifurcate and Request for Issues Identification/Status Conference has been furnished this 11th day of December, 2000 to the following:

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