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RECORDS AND  
REPORTING

February 2, 2001

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

**Re: Docket Nos. (990455-TL), 990456-TL, 990457-TL and 990517-TL**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Motion to Resolve Reconsideration or Challenges to Rate Center Consolidation for the Miami-Dade 305/786 Region, which we ask that you file in the captioned docket.

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,



James Meza III *(initials)*

cc: All Parties of Record  
Marshall M. Criser III  
R. Douglas Lackey  
Nancy B. White

- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- LEG \_\_\_\_\_
- OPC \_\_\_\_\_
- PAI \_\_\_\_\_
- RGO \_\_\_\_\_
- SEC \_\_\_\_\_
- SER \_\_\_\_\_
- OTH \_\_\_\_\_

RECEIVED & FILED  
*(Signature)*  
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**CERTIFICATE OF SERVICE**  
**Docket Nos. (990455-TL), 990456-TL, 990457-TL and 990517-TL**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

U.S. Mail this 2nd day of February, 2001 to the following:

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James Meza III

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for review of ) Docket No. 990455-TL  
Proposed numbering plan relief )  
For the 305/786 area code - Dade )  
County and Monroe County/Keys )  
Region )  
\_\_\_\_\_ ) Filed: February 2, 2001

**MOTION TO RESOLVE RECONSIDERATION OR CHALLENGES TO RATE CENTER CONSOLIDATION FOR THE MIAMI-DADE 305/786 REGION**

BellSouth Telecommunications, Inc. ("BellSouth") requests that the Florida Public Service Commission ("Commission") resolve its reconsideration of Order No. PSC-00-1937-PAA-TL (the "Order") and vacate the portion of the Order requiring rate center consolidation in the Miami-Dade 305/768 region or provide BellSouth a means to recover its costs associated with balloting the Miami-Dade region regardless of the outcome of the ballot. As grounds for this motion, BellSouth states the following:

1. On October 20, 2000, the Florida Public Service Commission ("Commission") issued Order No. PSC-00-1937-PAA-TL, wherein it required implementation of code sharing and rate center consolidation in the Miami-Dade portion of the 305/786 region. See Order No. PSC-00-1937-PAA-TL at 16. In the Order, the Commission held that BellSouth would be entitled to revenue neutral cost recovery for the implementation of the rate center consolidation. *Id.* However, because revenue neutral cost recovery would have an impact on customers in the 305/786 region, the Commission ordered BellSouth to ballot the

customers in the region to determine if they were willing to pay a rate additive to implement rate center consolidation. *Id.*

2. On October 27, 2000, the Commission issued Order No. PSC-00-2055-PAA-TL, which provided the guidelines for the rate center consolidation ballot of the Miami-Dade region. Under this Order, in order to be valid, not less than 40% of the ballots would have to be returned, and a simple majority must vote in favor of the ballot. See Order No. PSC-00-2055-PAA-TL.

3. On November 7, 2000, BellSouth and other members of the industry filed a Joint Motion for Reconsideration and Request for Hearing on Proposed Agency Action, which the Commission determined was untimely.

4. On November 13, 2000, BellSouth filed its Petition for Withdrawal or Modification of Proposed Agency Action, or, in the Alternative, Formal Hearing, wherein BellSouth argued, among other things, that the Commission lacked the statutory authority to order rate center consolidation because it would result in a change in BellSouth's rates in violation of the price regulation statute, § 364.051, *Florida Statutes*. BellSouth did agree to voluntarily implement rate center consolidation in the Miami-Dade region if the customers voted in favor of rate center consolidation and BellSouth could recover its resulting costs and lost revenues. For these reasons, BellSouth requested that the Commission withdraw the portion of its Order that required rate center consolidation in the Miami-Dade 305/768 region.

5. In addition, on November 20, 2000, BellSouth filed a Notice of Appeal with the Florida Supreme Court to challenge the Order.

6. On December 12, 2000, the Commission filed a Motion to Relinquish Jurisdiction with the Florida Supreme Court, wherein it requested that the Supreme Court temporarily relinquish jurisdiction of the case so that the Commission could review and reconsider the Order on its own motion and to resolve the appeals and the protests of the Order. See Motion to Relinquish Jurisdiction at §§1, 3-4.

7. On January 2, 2001, the Supreme Court granted the Commission's Motion to Relinquish Jurisdiction and ordered the following:

[T]he jurisdiction of the above case is temporarily relinquished to the Florida Public Service Commission for a period of ninety (90) days to reconsider Order No. PSC-00-1937 on its own motion and in light of the FCC's recent numbering optimization decision, and to pursue and perhaps approve settlement of these cases and the outstanding protests to the proposed agency action decisions of Order No. PSC-00-1937.

See Supreme Court Order N0. 00089 at 1.

8. Soon thereafter, the parties met and reached a tentative settlement as to all issues that were the subject of the protests and appeals, except for the portion of the Order that required rate center consolidation of the Miami-Dade 305/768 region. Upon information and belief, rate center consolidation of the Miami-Dade 305/768 region would be the only remaining issue to go to hearing if the Commission approves the offer of settlement.

9. BellSouth requests that the Commission, in reviewing and reconsidering the Order as directed by the Supreme Court, consider the following reasons for vacating the portion of the Order requiring rate center

consolidation in the Miami-Dade 305/768 region in addition to those previously set forth by BellSouth:

a. The Commission ordered that rate center consolidation in the Miami-Dade region be implemented through a revenue neutral cost recovery basis, thereby allowing BellSouth to recover foregone revenue and costs associated with rate center consolidation. See Order No. PSC-00-1937-PAA-TL at 16. However, because revenue neutral cost recovery would have an impact on customers in the region, the Commission ordered BellSouth to ballot the customers in Miami-Dade to determine if they were willing to pay a rate additive to implement rate center consolidation. *Id.*

b. Under the Order, if the customers approve the ballot, then rate center consolidation will go into effect and BellSouth can recover its costs, including the costs associated with the ballot, on a cost neutral basis through the rate additive. On the other hand, if the customers reject the rate additive, then rate center consolidation will not go into effect and BellSouth will have no method of recovering any of the costs of balloting.

c. BellSouth estimates that it will incur between \$350,000 and \$830,000 in nonrecurring costs to conduct the Commission ordered ballot. See Affidavit of Stan Greer attached hereto as Exh. A. These costs are for preparing and mailing approximately 1.5 million ballots to the customers in the Miami-Dade region, at least 600,000 would need to be returned and counted to meet the 40% filing threshold. *Id.*



d. It is BellSouth's belief that even if the requisite numbers of ballots are returned, which is questionable, it is unlikely that the responding customers would approve such a ballot because it would involve an increase of approximately \$1 a month in the price of their basic local service with little in return. Specifically, based on the population demographics of Miami-Dade County, BellSouth believes that most customers in the Miami exchange, which is the most populous exchange, would not approve an increase in basic local service in return for calling Hollywood, Florida on a flat rate basis, which is the effective result of the rate center consolidation. See Chart attached thereto as Exh. 1.

e. BellSouth's ability to recover the \$350,000 to \$830,000 costs associated with the ballot is intimately intertwined with whether or not the customers of the Miami-Dade region pass the ballot. If the customers do not pass the ballot, then BellSouth has no means in which to recover those costs incurred in conducting the ballot.

f. BellSouth suggests that this result was not intended by either BellSouth or the Commission. As evidenced by the fact that the Order required rate center consolidation in the Miami-Dade region on a cost neutral basis, the Commission specifically contemplated and concluded that BellSouth was entitled to recover all costs and lost revenue associated with the implementation of rate center consolidation.

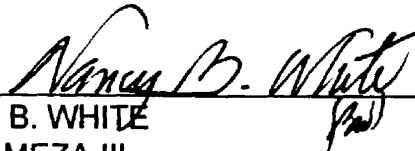
10. BellSouth submits that, given the fact that the parties have a tentative settlement as to all of the other challenges to the Order, resolution of

the Commission's reconsideration of the Order is in the interests of judicial economy and necessary to avoid piece meal litigation of the issues in this docket.

WHEREFORE, because BellSouth has no means in which to recover its costs if the customers in the Miami-Dade region do not pass the rate center consolidation ballot, BellSouth requests that the Commission resolve its reconsideration of the Order and vacate the portion of the Order requiring rate center consolidation in the Miami-Dade 305/786 region or provide BellSouth a means in which to recover its costs if the ballot fails.

Respectfully submitted this 2nd day of February, 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.



NANCY B. WHITE  
JAMES MEZA III

c/o Nancy Sims  
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Tallahassee, FL 32301  
(305) 347-5558



R. DOUGLAS LACKEY  
Suite 4300  
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Atlanta, GA 30375  
(404) 335-0747

**EXHIBIT A**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Request for review of ) Docket No. 990455-TL  
Proposed numbering plan relief )  
For the 305/786 area code - Dade )  
County and Monroe County/Keys )  
Region )  
\_\_\_\_\_ ) Filed: February 2, 2001

**STATE OF FLORIDA**

**COUNTY OF LEON**

**AFFIDAVIT OF STAN L. GREER**

Before me, the undersigned notary, personally appeared Stan L. Greer, who stated that he is currently Manager – Regulatory and External Affairs for BellSouth Telecommunications, Inc. (“BellSouth”), and further states the following:

1. I, Stan L. Greer, am a person over the age of 21 residing in the State of Florida. My title is Manager – Regulatory and External Affairs for BellSouth, a Georgia corporation. I have been in this position since April 1998. My business address is 150 S. Monroe Street, Suite 400, Tallahassee, Florida 32301.
2. I am submitting this Affidavit in Support of BellSouth's Motion to Resolve Reconsideration or Challenges to Rate Center Consolidation of the Miami-Dade 305/768 Region.
3. This Affidavit is based upon my personal knowledge and experience.
4. BellSouth estimates that it will incur between \$350,000 and \$830,000 in nonrecurring costs in order to conduct the Commission ordered rate center

consolidation ballot in the Miami-Dade region. These costs are for preparing and mailing approximately 1.5 million ballots to the customers in the Miami-Dade region.

5. It is BellSouth's belief that even if the requisite numbers of ballots are returned, which is questionable, it is unlikely that the responding customers would approve such a ballot because it would involve an increase of approximately \$1 a month in the price of their basic local service with little in return. Specifically, based on the population demographics of Miami-Dade County, BellSouth believes that most customers in the Miami exchange, which is the most populous exchange, would not approve an increase in basic local service in return for calling Hollywood, Florida on a flat rate basis, which is the effective result of the rate center consolidation. See Chart attached hereto as Exh. 1.

6. Further affiant sayeths not.

WITNESSES:

Nancy H. Smith  
Robin N. Webb

Stan L. Greer  
STAN L. GREER

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 2nd DAY OF 2001.

Tanya W. Lynn  
NOTARY PUBLIC, STATE OF FLORIDA  
AT LARGE



Tanya W. Lynn  
MY COMMISSION # CC673581 EXPIRES  
September 8, 2001  
BONDED THRU TROY FAIN INSURANCE, INC.

**Exhibit 1**

Exchanges	Before RCC		After RCC	
	EAS	ECS	EAS	ECS
North Dade	Hollywood, Miami, Perrine	Boca Raton, Coral Springs, Deerfield Beach, Fort Lauderdale, Homestead, Pompano Beach	Hollywood, Miami, Perrine, North Dade, <b>Homestead</b>	<b>Big Pine Key</b> , Boca Raton, Coral Springs, Deerfield Beach, Fort Lauderdale, <b>Islamorada</b> , <b>Key Largo</b> , <b>Key West</b> , <b>Marathon</b> , <b>North Key Largo</b> , Pompano Beach, <b>Sugarloaf Key</b>
Miami	Homestead, North Dade, Perrine	Big Pine Key, Boca Raton, Coral Springs, Deerfield Beach, Fort Lauderdale, Hollywood, Islamorada, Key Largo, Key West, Marathon, North Key Largo, Pompano Beach, Sugarloaf Key	<b>Hollywood</b> , Miami, Perrine, North Dade, Homestead	Big Pine Key, <b>Boca Raton</b> , Coral Springs, Deerfield Beach, Fort Lauderdale, Islamorada, Key Largo, Key West, Marathon, North Key Largo, Pompano Beach, Sugarloaf Key
Perrine	Homestead, Miami, North Dade	Big Pine Key, Coral Springs, Deerfield Beach, Fort Lauderdale, Hollywood, Islamorada, Key Largo, Key West, Marathon, North Key Largo, Pompano Beach, Sugarloaf Key	<b>Hollywood</b> , Miami, Perrine, North Dade, Homestead	Big Pine Key, <b>Boca Raton</b> , Coral Springs, Deerfield Beach, Fort Lauderdale, Islamorada, Key Largo, Key West, Marathon, North Key Largo, Pompano Beach, Sugarloaf Key
Homestead	Miami, Perrine	Big Pine Key, Coral Springs, Deerfield Beach, Fort Lauderdale, Hollywood, Islamorada, Key Largo, Key West, Marathon, North Key Largo, Pompano Beach, Sugarloaf Key	<b>Hollywood</b> , Miami, Perrine, <b>North Dade</b> , Homestead	Big Pine Key, <b>Boca Raton</b> , Coral Springs, Deerfield Beach, Fort Lauderdale, Islamorada, Key Largo, Key West, Marathon, North Key Largo, Pompano Beach, Sugarloaf Key

Exhibit 1