

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

DOCKET NO. 010102-TP

In the Matter of

**INVESTIGATION OF PROPOSED
UPDATES TO THE ROUTING DATA
BASE SYSTEM (RDBS) AND
BUSINESS RATING INPUT DATA-
BASE SYSTEM (BRIDS) AFFECTING
THE TAMPA TELECOMMUNI-
CATIONS CARRIERS.**

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PROCEEDINGS: PREHEARING CONFERENCE

**BEFORE: COMMISSIONER BRAULIO L. BAEZ
Prehearing Officer**

DATE: Monday, March 12, 2001

**TIME: Commenced at 9:43 a.m.
Concluded at 9:55 a.m.**

**PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida**

**REPORTED BY: TRICIA DeMARTE
Official FPSC Reporter**

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1 APPEARANCES:

2 NORMAN H. HORTON, JR., and FLOYD R. SELF,
3 Messer, Caparello, & Self, 215 South Monroe Street,
4 Post Office Box 1876, Tallahassee, Florida
5 32302-1876, appearing on behalf of AT&T
6 Communications of the Southern States, Inc.,
7 Intermedia Communications, Inc., and MCI WorldCom
8 Communications, Inc,

9 MARSHA RULE, 101 North Monroe Street,
10 Suite 700, Tallahassee, Florida 32301, appearing on
11 behalf of AT&T Communications of the Southern
12 States, Inc., and AT&T Wireless Services, Inc.

13 SCOTT SAPPERSTEIN, 3625 Queen Palm Drive,
14 Tampa, Florida 33619-1309, appearing on behalf of
15 Intermedia Communications, Inc.

16 DONNA McNULTY, The Atrium, Suite 105, 325
17 John Knox Road, Tallahassee, Florida 32303,
18 appearing on behalf of MCI WorldCom Communications,
19 Inc.

20 KAREN M. CAMECHIS and PETER M. DUNBAR,
21 Pennington, Moore, Wilkinson, Bell & Dunbar, P.A.,
22 Post Office Box 10095 Tallahassee, Florida
23 32302-2095, appearing on behalf of Time Warner
24 Telecom of Florida, L.P.

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1 APPEARANCES CONTINUED:

2 CHARLES J. BECK, Associate Public Counsel,
3 Office of Public Counsel, c/o The Florida
4 Legislature, 111 West Madison Street, Room 812,
5 Tallahassee, Florida 32399-1400, appearing on behalf
6 of the Citizens of Florida.

7 KIMBERLY CASWELL, Post Office Box 110,
8 MC7, Tampa, Florida 33601, appearing on behalf of
9 Verizon-Florida, Incorporated.

10 KIMBERLY WHEELER, Morrison & Foerster,
11 2000 Pennsylvania Avenue, N.W., Washington, D.C.
12 20006-1888 on behalf of the North American Numbering
13 Plan Administrator, appearing telephonically.

14 LEE FORDHAM, FPSC Division of Legal
15 Services, 2540 Shumard Oak Boulevard, Tallahassee,
16 Florida, appearing on behalf of the Commission
17 Staff.

18**19****20****21****22****23****24****25****FLORIDA PUBLIC SERVICE COMMISSION**

DN 03173-01

PROCEEDINGS

COMMISSIONER BAEZ: All right. We're going to call this prehearing to order. Counsel, read the notice.

MR. FORDHAM: Pursuant to notice issued March 5th, 2001, this time and place were set for a prehearing in Docket Number 010102-TP, investigation of proposed updates to the routing data base system and business rating input database system affecting the Tampa telecommunications carriers, for the purposes set forth in the meeting -- in the hearing.

COMMISSIONER BAEZ: All right. We'll take appearances, starting with Mr. Horton and going to the right.

MR. HORTON: Norman H. Horton, Jr., and Floyd R. Self of Messer, Caparello & Self on behalf of AT&T Communications of the Southern States, Intermedia Communications, Inc., and WorldCom, Inc. And I'd like to enter an appearance for Marsha Rule for AT&T; Scott Sapperstein for Intermedia; and Donna McNulty for WorldCom.

MS. CAMECHIS: Good morning.

COMMISSIONER BAEZ: Good morning.

MS. CAMECHIS: Karen Camechis for Time Warner Telecom of Florida, L.P., and also Peter M. Dunbar of the Pennington Law Firm.

1 **MR. BECK:** Good morning. My name is
2 **Charlie Beck. I'm with the Office of Public Counsel,**
3 **appearing on behalf of Florida Citizens.**

4 **MS. CASWELL:** Kim Caswell for Verizon-Florida,
5 **Incorporated.**

6 **MR. FORDHAM:** Lee Fordham, Commission Staff.

7 **COMMISSIONER BAEZ:** All right. And let the
8 **record reflect we have Karen (sic) Wheeler, counsel for**
9 **NANPA --**

10 **MS. WHEELER:** It's Kimberly Wheeler. Thank you.
11 **And thank you for allowing me to attend by telephone.**

12 **COMMISSIONER BAEZ:** Our pleasure. We're just
13 **going to jump right into it.**

14 **MR. FORDHAM:** Commissioner, as you are well
15 **aware, and all of us, this is a very compacted docket,**
16 **being only two months from the opening of the docket to**
17 **the hearing date itself. Consequently, the linguistics**
18 **have been somewhat of a challenge. I think at this point**
19 **I would recommend that we do go through the prehearing**
20 **order, and Staff also has some thoughts on the order of**
21 **witnesses when we reach that point.**

22 **COMMISSIONER BAEZ:** All right. Okay. Let's --
23 **we can go section by section. And if anyone has -- I'll**
24 **just call out the sections. If anybody's got any changes**
25 **that need to be suggested or made, speak right up.**

1 **MR. HORTON: Commissioner?**

2 **COMMISSIONER BAEZ: Yes.**

3 **MR. HORTON: Over here, excuse me.**

4 **COMMISSIONER BAEZ: That's all right.**

5 **MR. HORTON: Before we start, maybe -- I noticed**
6 **that we're also given an appearance for Time Warner, and**
7 **that should be corrected --**

8 **COMMISSIONER BAEZ: All right.**

9 **MR. HORTON: -- on the printed draft.**

10 **COMMISSIONER BAEZ: Okay.**

11 **MS. CASWELL: Excuse me, Commissioner.**

12 **COMMISSIONER BAEZ: Yes.**

13 **MS. CASWELL: I just noticed -- I don't think**
14 **I'm on the appearance list. They have our regulatory**
15 **people there instead.**

16 **COMMISSIONER BAEZ: Right.**

17 **MS. CASWELL: So that should probably be changed**
18 **to my name.**

19 **COMMISSIONER BAEZ: Okay. We'll make those**
20 **changes. We're going to strike the regulatory.**

21 **MS. CASWELL: Yeah, that would be**
22 **Michelle Robinson and David Christian.**

23 **COMMISSIONER BAEZ: Right. Okay. Sections --**
24 **well, Section 1 and Section 2, any comments or changes?**
25 **Seeing none. Moving along to the confidential**

1 information, Section 3.

2 MR. FORDHAM: Commissioner, there have been no
3 confidentiality issues raised in this docket at this
4 point.

5 COMMISSIONER BAEZ: All right. Sections 4 and
6 5. This is all pretty much standard language, so let's
7 get to the order of witnesses. Staff, you had some
8 suggested order letting --

9 MR. FORDHAM: Commissioner, I would recommend
10 that Verizon be the first witness to set out the
11 activities that gave rise to the opening of this docket.

12 COMMISSIONER BAEZ: Okay.

13 MR. FORDHAM: And following Verizon, I would
14 recommend that Staff be second, and then thereafter, I
15 don't know that any particular order is favored over the
16 other, just we had initially listed them in the order
17 their prehearing statements came in.

18 COMMISSIONER BAEZ: Right. Is there any
19 objections to having Verizon put their testimony on first?

20 MS. CASWELL: Commissioner, I have no objection.
21 But I would like to ask if we're assuming that direct and
22 rebuttal will be combined, because --

23 COMMISSIONER BAEZ: That's the way we've usually
24 done it.

25 MS. CASWELL: Yeah.

1 **MR. FORDHAM:** That would be the Staff
2 recommendation, also, combining those.

3 **COMMISSIONER BAEZ:** Okay. We'll have the order
4 reflect that, to combine those.

5 **MS. WHEELER:** This is Kimberly Wheeler,
6 representing NANPA.

7 **COMMISSIONER BAEZ:** Yes.

8 **MS. WHEELER:** As far as Tom Foley, we submitted
9 his prefiled direct testimony at the request of Staff, and
10 we basically just directed the testimony toward how
11 Verizon's proposal might affect relief. We tried to give
12 a couple of different scenarios, and we would like to ask
13 if the parties are willing to or would consider waiving
14 cross-examination of Tom Foley so that he would not need
15 to attend, but of course, we would be willing to attend if
16 anyone needed to ask questions.

17 **COMMISSIONER BAEZ:** Ms. Wheeler, I think what
18 we're trying to do here is just get an order of witnesses
19 down so that we can issue the prehearing order in form.
20 And I think that those conversations can probably be taken
21 up as part of your normal interaction outside of the
22 prehearing.

23 **MS. WHEELER:** Okay. Thank you. That's fine.

24 **COMMISSIONER BAEZ:** You're free to approach --
25 you know, you're free to broach the subject with any of

1 the parties' counsel to see if they have any objections.

2 And I guess I don't want to cut anybody out, but if
3 anybody has objections to that now that it's been asked,
4 maybe we can discuss it now if you'd like.

5 MS. CAMECHIS: I would have no objection.

6 COMMISSIONER BAEZ: You have no objection.

7 MR. HORTON: Subject to check, I don't think we
8 have any objection.

9 COMMISSIONER BAEZ: All right. Ms. Wheeler, I'm
10 not going to make that ruling now. It's something that we
11 can straighten out headed up to hearing. Okay? But it's,
12 you know, out there for discussion.

13 MS. WHEELER: Thank you. And in that case, we
14 have no preference as to the order of witnesses.

15 COMMISSIONER BAEZ: All right. Any of the
16 remaining parties have any objection to having the Verizon
17 witness first, Staff second?

18 MS. CAMECHIS: No objection at all.

19 COMMISSIONER BAEZ: No objections.

20 MS. CAMECHIS: I prefer that. Actually, I would
21 just like to ask Staff to make sure that Craig Tystad is
22 listed for direct and rebuttal on there.

23 MR. FORDHAM: Yes. We're going to combine
24 those, direct and rebuttal. And, Commissioner, since we
25 are the one sponsoring Tom Foley's testimony, that would

1 be second following Verizon, Mr. Foley's testimony.

2 COMMISSIONER BAEZ: Okay. We'll make the
3 necessary changes.

4 MR. FORDHAM: Okay.

5 COMMISSIONER BAEZ: Anything else on the witness
6 order?

7 MR. HORTON: Commissioner, not on the order of
8 witnesses, but as noted, Denise Thomas is adopting the
9 testimony of Mr. Joeger, James Joeger.

10 COMMISSIONER BAEZ: Yes.

11 MR. HORTON: I will refile this afternoon that
12 testimony that just simply puts her background and
13 qualifications in the front of it, just so that it's
14 clear.

15 COMMISSIONER BAEZ: All right. Thank you. And
16 then my understanding is the basic positions -- I mean,
17 the order of the statements is going to get rearranged.

18 MR. FORDHAM: Commissioner, we basically entered
19 those on the draft prehearing order in the order we
20 received their prehearing statements, which were not due
21 until this past Friday; therefore, there are a couple that
22 are not even totally complete because a couple of the
23 parties did not supply CDs or tapes, and therefore, we are
24 having to manually enter those. So a couple of them are
25 not complete. But basically the issues here on the draft

1 prehearing order are verbatim off of their prehearing
2 statements.

3 COMMISSIONER BAEZ: All right. Are there any --
4 I guess we should ask the question. Is there any
5 objection to the way the issues are presented in the
6 draft?

7 MS. CAMECHIS: No objection.

8 MR. HORTON: None.

9 MR. BECK: No objection.

10 COMMISSIONER BAEZ: We're okay with -- okay. I
11 apologize. I just got this draft. I mean, we're working
12 pretty fast, and I'm sure probably no one has had a chance
13 to look at it for too long.

14 OPC, I see your comments are up here somehow
15 first. So if you have any changes that you need to
16 make --

17 MR. BECK: No, I have no changes.

18 COMMISSIONER BAEZ: No changes. Alltel,
19 Mr. Horton? And let's just go through -- if you have any
20 comments on the positions as they are reflected in the
21 order.

22 MR. HORTON: No, sir. On behalf of the ones we
23 are appearing for, there's no changes.

24 COMMISSIONER BAEZ: Okay. Time Warner?

25 MS. CAMECHIS: Commissioner, I haven't had an

1 opportunity to read through all of the positions, but if
2 Staff is just incorporating them from the prehearing
3 statement, that's perfectly acceptable.

4 COMMISSIONER BAEZ: Is that a fair --

5 MR. FORDHAM: Yes, Commissioner, they are
6 directly off of the individual intervenors' prehearing
7 statements.

8 COMMISSIONER BAEZ: All right. Ms. Caswell?

9 MS. CASWELL: I have no changes.

10 COMMISSIONER BAEZ: Section 9, the exhibits
11 list.

12 MR. FORDHAM: Commissioner, the majority of
13 exhibits, of course, are being tendered by Verizon. What
14 we will do on these exhibits, and again, these are right
15 off of the prehearing statements, and we will conform the
16 order to the order of the witnesses, but as far as the
17 designation and the content, it's right off of the
18 prehearing statement.

19 COMMISSIONER BAEZ: All right. We don't have
20 any have any proposed stipulations at this time, although
21 given the comments, you know, we're going to have some
22 discussion --

23 MR. FORDHAM: At this time we don't,
24 Commissioner, but as you indicated possibly before the
25 final draft of this is prepared, there may be, but at this

1 point there are none.

2 COMMISSIONER BAEZ: Pending motions?

3 MR. FORDHAM: There are no pending motions at
4 this time.

5 COMMISSIONER BAEZ: Anything else that we need
6 to discuss today? We don't have confidentiality matters.

7 All right. Are we done? Anything else that's out there?

8 MR. FORDHAM: There's nothing else that Staff
9 has that we should discuss at this time, Commissioner.

10 COMMISSIONER BAEZ: All right. Are there any
11 future dates where we have to convene or are we just --

12 MR. FORDHAM: Well, only for the hearing, which
13 is the 27th.

14 COMMISSIONER BAEZ: Okay. All right. We're
15 adjourned then.

16 (Prehearing Conference concluded at 9:55 a.m.)

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1 STATE OF FLORIDA)

2 : CERTIFICATE OF REPORTER

3 COUNTY OF LEON)

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5 I, TRICIA DeMARTE, Official Commission Reporter,
6 do hereby certify that the Prehearing Conference in Docket No.
7 010102-TP was heard by the Florida Public Service Commission at
8 the time and place herein stated.

9

10 IT IS FURTHER CERTIFIED that I stenographically
11 reported the said proceedings; that the same has been transcribed
12 under my direct supervision; and that this transcript, consisting
13 of 13 pages, constitutes a true transcription of my notes of said
14 proceedings.

15

16 I FURTHER CERTIFY that I am not a relative, employee,
17 attorney or counsel of any of the parties, nor am I a relative or
18 employee of any of the parties' attorneys or counsel connected
19 with the action, nor am I financially interested in the action.

20

21 DATED THIS 12th DAY OF MARCH, 2001.

22

23

Tricia DeMarte

24

TRICIA DeMARTE

25

FPSC Official Commission Reporter
(850) 413-6736