

NANCY B. WHITE
General Counsel-Florida

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5558

May 30, 2001

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

Re: 991378-TL (Show Cause Docket)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Prehearing Statement, which we ask that you file in the above-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,

Nancy B. White
Nancy B. White (KA)

cc: All parties of record
Marshall M. Criser III
R. Douglas Lackey

DOCUMENT NUMBER DATE

06757 MAY 30 2001

FPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE
Docket No. 991378-TL**


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

(*) Hand Delivery or U. S. Mail this 30th day of May, 2001 to the following:

Walter D'Haeseleer, Director (*)
Division of Communications
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Wayne Knight, Staff Counsel (*)
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Charles J. Beck
Deputy Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400
Attorney for the Citizens
of the State of Florida


Nancy B. White (LA)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause) Docket No. 991378-TL
proceedings against BellSouth)
Telecommunications, Inc., for)
violation of service standards.)
_____) Dated: May 30, 2001

**PREHEARING STATEMENT OF
BELLSOUTH TELECOMMUNICATIONS, INC.**

BellSouth Telecommunications, Inc. ("BellSouth"), in compliance with the Order Establishing Procedure (Order No. PSC-00-1027-PCO-TP), issued May 23, 2000, hereby submits its Prehearing Statement for the above captioned matter.

A. Witnesses

BellSouth proposes to call the following witnesses to offer testimony on the issues in this docket:

<u>Witness</u>	<u>Issue(s)</u>
Joseph P. Lacher	All

BellSouth reserves the right to call additional witnesses, witnesses to respond to Commission inquiries not addressed in direct or rebuttal testimony and witnesses to address issues not presently designated that may be designated by the Prehearing Officer at the prehearing conference to be held on June 11, 2001. BellSouth has listed the witnesses for whom BellSouth believes testimony will be filed, but reserves the right to supplement that list if necessary.

B. Exhibits

Joseph P. Lacher	JPL-1	1992 Attorney General Settlement Agreement
	JPL-2	Letters Pertaining to BellSouth Service
	JPL-3	Access Indicators Study Summary Report

BellSouth reserves the right to file exhibits to any testimony that may be filed under the circumstances identified in Section "A" above. BellSouth also reserves the right to introduce exhibits for cross-examination, impeachment, or any other purpose authorized by the applicable Florida Rules of Evidence and Rules of this Commission.

C. Statement of Basic Position

BellSouth has not, through policy, business decision processes or intent, willfully violated the service rules and standards of the Florida Public Service Commission. BellSouth provides excellent service to its customers in Florida.

D. BellSouth's Position on the Issues

- Issue 1:
- (a) During the period of January 1996 through December 1999, was BellSouth Telecommunications, Inc. in willful violation of Rule 25-4.070(3)(a), Florida Administrative Code, which requires restoration of interrupted service within 24 hours of report?
 - (b) If so, how many violations were there, if any, and what is the appropriate action, penalty, and/or fine amount to be imposed by the Commission for any violations.

- (c) In determining the appropriate action to be taken, if any, for violation of a service rule, what factors in mitigation or aggravation, if any should be considered?

BellSouth's Position:

- (a) No. While BellSouth experienced problems meeting the standard, BellSouth's action were not willful.
- (b) The Settlement previously accepted by the Staff and the Commission should stand.
- (c) There are several mitigating factors that should be taken into account, including but not limited to, the impact of the 1992 Settlement Agreement between BellSouth and the Attorney General's office, the difficulty in hiring additional employees, the attrition rate, Acts of God, and the effect of misses in smaller exchanges.

Issue 2:

- (a) During the period of January 1996 through December 1999, was BellSouth Telecommunications, Inc. in willful violation of Rule 25-4.073(1)(d), Florida Administrative Code, which requires 95% of all calls to repair services to be transferred to a live attendant within 55 seconds when utilizing a menu driven, automated, interactive answering system?
- (b) If so, how many violations were there, if any, and what is the appropriate action, penalty, and/or fine amount to be imposed by the Commission for any

violations?

- (c) In determining the appropriate action to be taken, if any, for violation of a service rule, what factors in mitigation or aggravation, if any, should be considered?

BellSouth's Position:

- (a) No. While BellSouth experienced problems meeting the standard, BellSouth's actions were not willful.
- (b) The settlement previously accepted by the Staff and the Commission should stand.
- (c) There are several mitigating factors that should be taken into account, including but not limited to, the impact of the 1992 Settlement Agreement between BellSouth and the Attorney General's Office, the difficulty in hiring additional employees, the attrition rate, Acts of God, and the effect of misses in smaller exchanges.

Issue 3:

- (a) During the period of January 1996 through December 1999, was BellSouth Telecommunications, Inc. in willful violation of Rule 25-4.073(1)(d), Florida Administrative Code, which requires 85% of all calls to the business office to be transferred to a live attendant within 55 seconds when utilizing a menu driven, automated, interactive answering system?
- (b) If so, how many violations were there, if any, and what is the appropriate action, penalty, and/or fine amount to be imposed by the Commission for any violations.
- (c) In determining the appropriate action to be taken, if any, for violation of a service rule, what factors in

mitigation or aggravation, if any, should be considered?

BellSouth's Position:

- (a) No. While BellSouth experienced problems meeting the standard, BellSouth's actions were not willful.
- (b) The settlement previously accepted Staff and by the Commission should stand.
- (c) There are several mitigating factors that should be taken into account, including but not limited to, the impact of the 1992 Settlement Agreement between BellSouth and the Attorney General's office, the difficulty in hiring additional employees, the attrition rate, Acts of God, and the effect of misses in smaller exchanges.

Issue 4:

- (a) During the period of January 1996 through December 1999, was BellSouth Telecommunications, inc. in willful violation of Rule 25-4.066(2), Florida Administrative Code, which requires 90% of all requests for primary service in any calendar month to be satisfied within three working days?
- (b) If so, how many violations were there, if any, and what is the appropriate action, penalty, and/or fine amount to be imposed by the Commission for any violations.
- (c) In determining the appropriate action to be taken, if any, for violation of a service rule, what factors in mitigation or aggravation, if any, should be considered?

BellSouth's Position:

- (a) No. While BellSouth experienced problems meeting the

standard, BellSouth's actions were not willful.

- (b) The settlement previously accepted by the Staff and the Commission should stand.
- (c) There are several mitigating factors that should be taken into account, including but not limited to, the impact of the 1992 Settlement Agreement between BellSouth and the Attorney General's office, the difficulty in hiring additional employees, the attrition rate, Acts of God, and the effect of misses in smaller exchanges.

Issue 5:

- (a) During the period of January 1996 through December 1999, was BellSouth Telecommunications, Inc. in willful violation of Rule 25-4.070(1)(b), Florida Administrative Code, which requires rebates be issued to customers whose service is interrupted other than by a negligent or willful act of the subscriber and it remains out of service in excess of 24 hours after being reported to the company?
- (b) If so, how many violations were there, if any, and what is the appropriate action, penalty, and/or fine amount to be imposed by the Commission for any violations?
- (c) In determining the appropriate action to be taken, if any, for violation of a service rule, what factors in mitigation or aggravation, if any, should be considered?

BellSouth's Position:

- (a) No. While BellSouth experienced problems meeting the standard, BellSouth's actions were not willful.
- (b) The settlement previously accepted by the Staff and the

Commission should stand.

- (c) There are several mitigating factors that should be taken into account, including but not limited to, the impact of the 1992 Settlement Agreement between BellSouth and the Attorney General's office, the difficulty in hiring additional employees, the attrition rate, Acts of God, and the effect of misses in smaller exchanges.

Issue 6:

- (a) During the period of January 1996 through December 1999, was BellSouth Telecommunications, Inc. in willful violation of Rule 25-4.070(3)(b), Florida Administrative Code, which requires that clearing of service affecting trouble reports be scheduled to insure at least 95% are cleared within 72 hours or report?
- (b) If so, how many violations were there, if any, and what is the appropriate action, penalty, and/or fine amount to be imposed by the Commission for any violations.
- (c) In determining the appropriate action to be taken, if any, for violation of a service rule, what factors in mitigation or aggravation, if any, should be considered?

BellSouth's Position:

- (a) No. While BellSouth experienced problems meeting the - standard, BellSouth's actions were not willful.
- (b) The settlement previously accepted by the Staff and the Commission should stand.
- (c) There are several mitigating factors that should be taken into account, including but not limited to,

the impact of the 1992 Settlement Agreement between BellSouth and the Attorney General's office, the difficulty in hiring additional employees, the attrition rate, Acts of God, and the effect of misses in smaller exchanges.

E. Stipulations

None.

F. Pending Motions

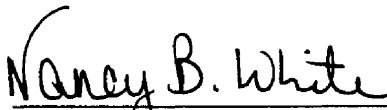
BellSouth has no motions pending at this time.

G. Other Requirements

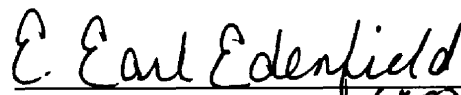
None.

Respectfully submitted this 30th day of May, 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.



NANCY B. WHITE (CN)
c/o Nancy Sims
150 South Monroe Street, #400
Tallahassee, Florida 32301
(305) 347-5558



E. EARL EDENFIELD (CN)
675 West Peachtree Street, #4300
Atlanta, Georgia 30375
(404) 335-0763