



ORIGINAL

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July 11, 2001

Mrs. Blanca S. Bayo
Director, Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

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COMMISSION
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Re: Docket No. 001305-TP (BellSouth v. Supra)
(Supra v. BellSouth)

Dear Mrs. Bayo:

Enclosed please find an original and 15 copies of Supra's Motion to Stay BellSouth's Petition for Arbitration of an Interconnection Agreement with Supra pending Resolution of Supra's Complaint Regarding BellSouth's Negotiation Tactics.

Please file the original of this document in the captioned docket, mark it and return a copy to me.

Regards,

Adenet Medacier kms

Adenet Medacier

enclosures

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cc: All parties of record
Brian Chaiken
Olukayode Ramos

Mrs. R.
FPSC-BUREAU OF RECORDS

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FPSC-REC'D & REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Arbitration of the Interconnection Agreement Between BellSouth Telecommunications, Inc. and Supra Telecommunications and Information Systems, Inc., pursuant to Section 252(b) of the Telecommunications Act of 1996	Docket No. 001305-TP
Complaint of Supra Telecommunications and Information Systems Regarding BellSouth's Bad Faith Negotiation Tactics	Filed: July 11, 2001

MOTION TO STAY BELLSOUTH'S PETITION FOR ARBITRATION OF INTERCONNECTION AGREEMENT PENDING RESOLUTION OF SUPRA'S COMPLAINT REGARDING BELLSOUTH'S BAD FAITH NEGOTIATION TACTICS

Supra Telecommunications and Information Systems, Inc. ("Supra"), by and through its undersigned counsel, hereby files its Motion to Stay BellSouth's Petition for Arbitration of Interconnection Agreement between BellSouth and Supra, and in support thereof states:

1. On or about June 18, 2001 Supra filed a Complaint Regarding BellSouth's Bad Faith Negotiation Tactics in the instant docket. The gist of Supra's Complaint is that BellSouth has refused to provide Supra with necessary information regarding BellSouth's network to allow Supra to negotiate a "Follow On" Interconnection Agreement. Supra cannot know if BellSouth is offering to provide Supra with parity and non-discriminatory access to its network and all of its elements if Supra does not know what BellSouth's network and component elements are comprised of. Nor can Supra understand the technical capabilities, which BellSouth provides itself and its end users if Supra is not provided with information regarding BellSouth's own internal networks.

2. Supra, on January 29, 2001, filed its Motion to Dismiss BellSouth's Petition in this Docket. The FPSC, in Order PSC-01-1180-FOF-TI, ordered the parties to have an Inter-Company Review Board meeting, pursuant to the terms of the parties' current agreement, to negotiate the terms of the "Follow On" Agreement. Since the time of the FPSC Order, Supra has repeatedly requested the network information from BellSouth, and made numerous attempts to clarify exactly what information it sought. Despite acknowledging that it understood Supra's request and was in the process of collecting the requested documentation, BellSouth has not provided Supra with a single responsive document. Thereafter, Supra had little choice but to file its Complaint regarding BellSouth's Bad Faith Negotiation Tactics.

3. On June 28, 2001, the FPSC, in Order No. PSC-01-1401-PCO-TP, issued its Order Establishing Procedure in this docket. That Order calls for the parties to file direct testimony and exhibits by July 18, 2001, and rebuttal testimony and exhibits by August 8, 2001. Supra would be unfairly prejudiced if it were required to file its testimonies in support of its position without having first received and reviewed the requested information.

4. The Commission should stay this arbitration until it first rules on Supra's complaint regarding BellSouth's Bad Faith Negotiation Tactics. If it did not stay the proceeding, and if it were eventually found that Supra was entitled to the requested network information, such a finding would be of no use to Supra. BellSouth would have no incentive to produce the requested information regarding its network, in compliance with FCC rules and Federal Regulation § 47 CFR 51.301(8).

WHEREFORE Supra Prays this Commission STAY BellSouth's Petition for Arbitration of the Follow-on Interconnection Agreement pending resolution of Supra's Complaint and for such other mete and proper relief.

Respectfully Submitted, this 11th day of July 2001

**SUPRA TELECOMMUNICATIONS
& INFORMATION SYSTEMS, INC.**

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By: Adenet Medacier *AMS*
ADENET MEDACIER

CERTIFICATE OF SERVICE

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

Federal Express this 11th day of July, 2001 to the following:

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