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July 23, 2001

**VIA HAND DELIVERY**

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Re: Docket No.: 010345-TP

Dear Ms. Bayo:

On behalf of ACCESS Integrated Networks, Inc., enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ ACCESS Integrated Networks, Inc.'s Petition to Intervene

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

Sincerely,

*Joe McGlothlin*  
Joseph A. McGlothlin

JAM/mls  
Enclosure

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MCWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, DECKER, KAUFMAN, ARNOLD & STEN, P.A.

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Petition of AT&T Communications of the Southern States, Inc., TCG South Florida, and MediaOne Florida Telecommunications, Inc. for Structural Separation of BellSouth Telecommunications

Docket No. 010345-TP

Filed: July 23, 2001

**ACCESS INTEGRATED NETWORKS, INC.'S PETITION TO INTERVENE**

Pursuant to Rules 25-22.039 and 28-106.205, Florida Administrative Code, ACCESS Integrated Networks, Inc. ("ACCESS"), through its undersigned counsel, submits its Petition to Intervene and states:

1. The name and address of the Petitioner is:

ACCESS Integrated Network, Inc.  
4885 Riverside Drive, Suite 101  
Macon, Georgia 31210

2. Copies of all pleadings, notices, and orders in this Docket should be provided to:

Joseph A. McGlothlin  
McWhirter, Reeves, McGlothlin, Davidson,  
Decker, Kaufman, Arnold & Steen, P.A.  
117 S. Gadsden Street  
Tallahassee, Florida 32301

D. Mark Baxter  
Stone & Baxter, LLP  
557 Mulberry Street, Suite 1111  
Macon, Georgia 31201-8256

3. Statement of Substantial Interests:

ACCESS is an Alternative Local Exchange Company ("ALEC") that operates in states in which BellSouth is the Incumbent Local Exchange Company ("ILEC"), including Florida. Pursuant

to the 1996 Telecommunications Act and the terms of interconnection agreements between ACCESS and BellSouth, ACCESS utilizes unbundled network elements of BellSouth's system to provide service to its customers. Accordingly, ACCESS is dependent upon BellSouth's willingness and ability to perform its obligations under law to provide such network elements in a timely and nondiscriminatory fashion. In this docket, the Commission will consider whether BellSouth has performed its obligations in a manner that does not impede the development of competition and, if it has not, whether structural remedies are available that should be applied to BellSouth. As an ALEC whose business is vulnerable to misconduct by BellSouth, any decision of the Commission that bears upon the regulatory and/or structural constraints placed on BellSouth's opportunity to engage in anticompetitive behavior will affect ACCESS's substantial interests.

4. Statement of Disputed Issues of Material Fact:


While not all disputed issues of fact can be identified at this time, ACCESS believes the following will be at issue:

Does BellSouth's behavior towards ALECs in the marketplace provide evidence of anti-competitive practices that call for the application of structural remedies?

5. Ultimate Facts Alleged:

To remove the basis for the anticompetitive practices of BellSouth that characterize its approach to its relationship with ALECs, and to facilitate the development of competition in the local exchange market, BellSouth should be required to create separate entities to perform the wholesale and retail functions of its local exchange business.

WHEREFORE, ACCESS Integrated Networks, Inc. requests the Commission to enter an Order authorizing it to intervene as a party in this case.



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ATTORNEYS FOR ACCESS INTEGRATED NETWORKS, INC.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the ACCESS Integrated Network, Inc.'s Petition to Intervene has been furnished by U.S. mail or by hand-delivery (\*) this 23rd day of July, 2001 to the following:

(\*)Beth Keating  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

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AT&T  
101 North Monroe Street, Suite 700  
Tallahassee, Florida 32301

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c/o Nancy H. Sims  
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