

ORIGINAL

Florida  
**Digital**  
Network

August 31, 2001

Ms. Blanca Bayó, Director  
Division of Commission Clerk  
& Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

via U.S. Mail

Re: Docket No. 011076-TL – Investigation into Allegations of Anticompetitive Behaviors and Practices of BellSouth Telecommunications, Inc.

Dear Ms. Bayó,

Please find enclosed for filing in the captioned docket an original and seven (7) copies of the following: (1) Florida Digital Network, Inc.'s Petition to Intervene, (2) Florida Digital Network, Inc.'s Notice of Serving First Set of Interrogatories, Request for Production of Documents, and Request for Admissions to BellSouth Telecommunications, Inc.

If you have any questions regarding the enclosed, please call me at 407-835-0460.

Sincerely,

Matthew Feil  
General Counsel  
Florida Digital Network

Notice  
DOCUMENT NUMBER-DATE

10915 SEP-4 0

FPSC-COMMISSION CLERK

Petition to Intervene  
DOCUMENT NUMBER-DATE

10909 SEP-4 0

FPSC-COMMISSION CLERK

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Investigation into Allegations of )  
Anticompetitive Behaviors and Practices of )  
BellSouth Telecommunications, Inc. )  
\_\_\_\_\_ )

Docket No. 011076-TL

PETITION TO INTERVENE  
OF  
FLORIDA DIGITAL NETWORK, INC.

Pursuant to Rules 25-22.039 and 28-106.201(2), Florida Administration Code, Florida Digital Network, Inc. ("Florida Digital") files this Petition to Intervene with the Florida Public Service Commission ("Commission") in the above-referenced docket. In support thereof, Florida Digital states as follows:

1. Petitioner's full name and principal place of business are:

Florida Digital Network, Inc.  
390 North Orange Ave  
Suite 2000  
Orlando, FL 32801

2. All pleadings, orders, notices and other correspondence with respect to this docket should be addressed to:

Matthew Feil  
General Counsel  
Florida Digital Network, Inc.  
390 North Orange Ave  
Suite 2000  
Orlando, FL 32801  
(407) 835-0460  
[mfeil@floridadigital.net](mailto:mfeil@floridadigital.net)

3. Florida Digital is a duly certified alternative local exchange telecommunications carrier (“ALEC”) and interexchange carrier (“IXC”) in Florida. As such, Florida Digital is subject to the rules, regulations and orders of the Commission, and such rules, regulations and orders impact Florida Digital’s ability to provide local exchange telecommunications service and interexchange telecommunications service.

4. Florida Digital is a competitor of BellSouth Telecommunications, Inc. (“BellSouth”) in the market for local services. Florida Digital utilizes BellSouth’s interconnection service and access to unbundled network elements to compete in BellSouth’s incumbent territories.

5. Florida Digital has suffered competitive harm from the anticompetitive behaviors and practices of BellSouth. This proceeding is designed to address and protect the interests of competitive carriers such as Florida Digital, and Florida Digital’s interests will be substantially and directly affected by the Commission’s decision in this case.

WHEREFORE, Florida Digital requests that the Commission issue an order permitting Florida Digital to intervene in this proceeding and affording Florida Digital full party status.

Respectfully submitted this 3<sup>rd</sup> day of August 2001.



Matthew Feil  
Florida Digital Network, Inc.  
390 North Orange Ave  
Suite 2000  
Orlando, FL 32801  
(407) 835-0460  
mfeil@floridadigital.net

CERTIFICATE OF SERVICE  
DOCKET NO. 011076

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via e-mail (\*\*\*) and U.S. Mail to the following parties of record on this the 31<sup>st</sup> day of August 2001:

BellSouth Telecommunications, Inc. (\*\*)  
c/o Ms. Nancy H. Sims  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32301-1556  
Phone: (850) 224-7798  
Fax: 222-8640  
[Nancy.sims@bellsouth.com](mailto:Nancy.sims@bellsouth.com)

Felicia Banks (\*\*)  
Legal Division  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
[fbanks@psc.state.fl.us](mailto:fbanks@psc.state.fl.us)

Time Warner Telecom of Florida, L.P. (\*\*)  
Pennington Law Firm  
Peter Dunbar/Karen Camechis  
P.O. Box 10095  
Tallahassee, FL 32301  
Phone: 850-222-3533  
Fax: 222-2126  
[pete@penningtonlawfirm.com](mailto:pete@penningtonlawfirm.com)

NewSouth Telecommunications (\*\*)  
c/o McWhirter Law Firm  
Vicki Kaufman  
117 S. Gadsden St.  
Tallahassee, FL 32301  
Phone: 850-222-2525  
Fax: 222-5606  
[vkaufman@mac-law.com](mailto:vkaufman@mac-law.com)



Matthew Feil  
Florida Digital Network, Inc.  
390 North Orange Ave  
Suite 2000  
Orlando, FL 32801  
(407) 835-0460  
[mfeil@floridadigital.net](mailto:mfeil@floridadigital.net)