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September 10, 2001

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

Re: Docket No. 960786-TL Sprint's Prehearing Statement

Dear Ms. Bayó:

Enclosed for filing is the original and fifteen (15) copies of Sprint's Prehearing Statement. Copies of this have been served pursuant to the attached Certificate of Service. Also included is a formatted diskette.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Sincerely,

Susan S. Masterton

Enclosure

DOCUMENT NUMBER-DATE

11292 SEP 10 01

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Consideration of BellSouth ) Docket No. 960786-TL  
Telecommunications, Inc.'s entry into )  
InterLATA services pursuant to Section )  
271 of the Federal Telecommunications )  
Act of 1996 ) Filed: September 10, 2001

**SPRINT'S PREHEARING STATEMENT**

Pursuant to Orders Establishing Procedure (Order No. PSC-01-1025-PCO-TL and Order No. PSC-01-0832-PCO-TL) Sprint Communications Company Limited Partnership's ("Sprint") files this Prehearing Statement:

A. **WITNESSES:** Sprint proposes to call the following witnesses to offer testimony in this docket.

WITNESS:

Mark Felton\*  
(Rebuttal)

ISSUES:

Issue 3

\* Portions of Mr. Felton's prefiled rebuttal testimony are the subject of pending Motions to Strike filed by BellSouth and Commission staff.

Sprint has listed the witnesses for whom Sprint believes testimony will be offered, but reserves the right to supplement that list if necessary.

B. **EXHIBITS:** Sprint has filed no exhibits at this time, but reserves the right to file exhibits if necessary and 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. **BASIC POSITION:** Pursuant to section 271 of the Telecommunications Act of 1996, BellSouth has the burden of demonstrating that it meets the requirements to provide in region interLATA services. Based on Sprint's review of the testimony, exhibits and other evidence prefiled by BellSouth in this docket, Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**D.-F. ISSUES AND POSITIONS:**

**ISSUE 1: Has BellSouth met the requirements of Section 271 (c) (1) (A) of the Telecommunications Act of 1996?**

**ISSUE 1(a): Has BellSouth entered into one or more binding agreements approved under Section 252 with unaffiliated competing providers of the telephone exchange service?**

**ISSUE 1(b): Does BellSouth currently provide access and interconnection to its network facilities for the network facilities of competing providers?**

**ISSUE 1(c): Are such competing providers providing telephone exchange service to residential and business customers either exclusively over their own telephone exchange service facilities or predominantly over their own telephone exchange service facilities?**

**POSITION:** While Section 271 (c) (1) (A) is the appropriate provision of section 271 to govern BellSouth's application to provide interLATA services in Florida, Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 2: Does BellSouth currently provide interconnection in accordance with the requirements of Sections 251 (c) and 252 (d) (1) of the Telecommunications Act of 1996, pursuant to Section 271 (c) (2) (B) (I) and applicable rules promulgated by the FCC?**

**ISSUE 2(a): Has BellSouth implemented physical collocation request in Florida consistent with FCC rules and orders?**

**ISSUE 2(b): Does BellSouth have legally binding provisioning intervals for physical collocation?**

**ISSUE 2(c): Does BellSouth currently provide local tandem interconnection to ALECs?**

**ISSUE 2(d): Does BellSouth currently permit the use of a Percent Local Usage (PLU) factor in conjunction with trunking?**

**ISSUE 2(e): Does BellSouth currently provide ALECs with meet point billing data?**

**ISSUE 2(f): Has BellSouth satisfied other associated requirements, if any, for this item?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 3: Does BellSouth currently provide nondiscriminatory access to all required network elements, with the exception of OSS which will be handled in the third party OSS test, in accordance with Sections 251 (c) (3) and 252 (d) (1) of the Telecommunication Act of 1996, pursuant to Section 271 (c) (2) (B) (ii) and applicable rules promulgated by the FCC?**

**ISSUE 3(a): Does BellSouth currently provide all required unbundled network elements at TELRIC-based prices?**

**ISSUE 3(b): Has BellSouth satisfied other associated requirements, if any, for this item?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 4: In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 224 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, pursuant to Section 271 (c) (2) (B) (iii). Does BellSouth currently provide nondiscriminatory access to the poles, ducts and conduits, and rights-of-way owned**

**or controlled by BellSouth at just and reasonable rates in accordance with the requirements of Section 224 of the Communications Act of 1934 as amended by the Telecommunications Act of 1996, pursuant to Section 271 (c) (2) (B) (iii) and applicable rules promulgated by the FCC?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 5: In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271 (c) (2) (B) (iv) of the Telecommunications Act of 1996. Does BellSouth currently provide unbundled local loop transmission between the central office and the customer's premises from local switching or other services, pursuant to Section 271 (c) (2) (B) (iv) and applicable rules and orders promulgated by the FCC?**

**ISSUE 5(a): Does BellSouth currently provide all currently required forms of unbundled loops?**

**ISSUE 5(b): Has BellSouth satisfied other associated requirements, if any, for this item?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 6: Does BellSouth currently provide unbundled local transport on the trunk side of the wireline local exchange carrier switch from switching or other services, pursuant to Section 271 (c) (2) (B) (v) and applicable rules promulgated by the FCC?**

**ISSUE 6(a): Does BellSouth currently provide billing for usage-sensitive UNEs?**

**ISSUE 6(b): Has BellSouth satisfied all other associated requirements, if any, for this item?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 7: Does BellSouth currently provide unbundled local switching from transport, local loop transmission, or other services, pursuant to Section 271 (c) (2) (B) (vi) and applicable rules promulgated by the FCC?**

**ISSUE 7(a): Does BellSouth bill for unbundled local switching on a usage-sensitive basis?**

**ISSUE 7(b): Does BellSouth currently provide unbundled local switching on both the line-side and the trunk-side of the switch?**

**ISSUE 7(c): Has BellSouth Satisfied other associated requirements, if any, for this item?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 8: Does BellSouth currently provide nondiscriminatory access to the following, pursuant to Section 271(c) (2) (B) (vii) and applicable rules promulgated by the FCC:**

- (i) 911 and E911 services;
- (ii) directory assistance services to allow other telecommunications carrier's customer to obtain telephone numbers; and
- (iii) operator call completion services?

**ISSUE 8(a): Does BellSouth currently provide ALECs access to all information contained in BellSouth's directory listing database?**

**ISSUE 8(b): Does BellSouth currently provide selective routing in Florida?**

**ISSUE 8(c): Has BellSouth satisfied other associated requirements, if any, for this item?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 9: In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271(c) (2) (B) (viii) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. Does BellSouth currently provide white pages directory listings for customers of other telecommunications carrier's telephone exchange service, pursuant to Section 271(c) (2) (B) (viii) and applicable rules promulgated by the FCC?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 10: In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271(c)(2)(B)(ix) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. Does BellSouth currently provide nondiscriminatory access to telephone numbers for assignment to the other telecommunications carrier's telephone exchange service customers, pursuant to Section 271(c)(2)(B)(ix) and applicable rules promulgated by the FCC?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 11: In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271(c) (2) (B) (x) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. Does BellSouth currently provide nondiscriminatory access to databases and associated signaling necessary for call routing and completion, pursuant to Section 271 (c) (2) (B) (x) and applicable rules promulgated by the FCC?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 12: In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271 (c) (2) (B) (xi) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. Does BellSouth currently provide number portability, pursuant to Section 271(c) (2) (B) (xi) and applicable rules promulgated by the FCC?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 13: In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271 (c) (2) (B) (xii) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. Does BellSouth currently provide nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of Section 271(c) (2) (B) (xii) and applicable rules promulgated by the FCC?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 14: In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271 (c) (2) (B) (xiii) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. Does BellSouth currently provide reciprocal compensation arrangements in accordance with the requirements of Section 252 (d) (2) of the Telecommunications Act of 1996, pursuant to Section 271(c) (2) (B) (xiii) and applicable rules promulgated by the FCC?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 15: Does BellSouth currently provide telecommunications services available for resale in accordance with the requirements of Sections 251(c) (4) and 252 (d) (3) of the Telecommunications Act of 1996, pursuant to Section 271 (c) (2) (B) (xiv) and applicable rules promulgated by the FCC?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 16: By what date does BellSouth propose to provide intraLATA toll dialing parity throughout Florida pursuant to Section 271 (e) (2) (A) of the Telecommunications Act of 1996?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 17: If the answers to issues 2 through 15 are “yes,” have those requirements been met in a single agreement or through a combination of agreements?**

POSITION: Sprint contends that BellSouth has failed to meet its burden of proof to show that it has complied with the 271 requirements.

**ISSUE 18: Should this docket be closed?**

POSITION: Sprint takes no position on this issue at this time.



**G. STIPULATIONS**

Sprint is not aware of any stipulations at this time.

**H. PENDING MOTIONS**

Sprint has no pending motions at this time, although Motions to Strike portions of the prefiled rebuttal testimony of Sprint's witness Mark Felton, as filed by BellSouth and Commission Staff, are currently pending.

**I. PENDING CONFIDENTIALITY CLAIMS OR REQUESTS**

Sprint has no pending claims or requests for confidentiality.

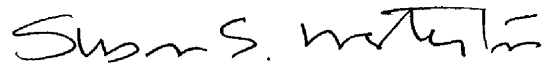
**I. COMPLIANCE WITH ORDER ON PREHEARING PROCEDURE**

To the best of its knowledge, Sprint can comply with all requirements set forth in the procedural order in this case.

**K. DECISIONS THAT MAY IMPACT COMMISSION'S RESOLUTION OF ISSUES**

Sprint is unaware of any pending decisions that may limit the Commission's authority to address the issues in this docket. Due to the broad scope of the issues, there may be pending decisions at the FCC and FPSC that could impact the substantive analysis of BellSouth's compliance with some of the checklist requirements. Also, the outcome of the 3<sup>rd</sup> party OSS testing will ultimately impact the Commission's decision concerning BellSouth's compliance with the 271 requirements.

Respectfully submitted this 10<sup>th</sup> day of September, 2001.



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ATTORNEYS FOR  
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COMPANY LIMITED  
PARTNERSHIP

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 960786-TL**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S. Mail this 10th day of September, 2001 to the following:

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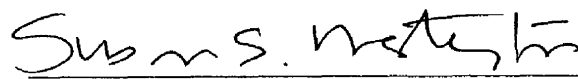
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