

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Generic Investigation into Whether
Competitive Practices of Incumbent and
Alternative Local Exchange Carriers Comply
With Section 364.01(4)(g), Florida Statutes.

Docket No. 011077-TP

Filed: December 7, 2001

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PETITION TO INTERVENE
OF GLOBAL NAPS, INC.

Global NAPs, Inc. (hereafter "GNAPs"), pursuant to Rules 28-106.201 and 28-106.205, Florida Administrative Code ("F.A.C.") and Rule 25-22.039, F.A.C., files this Petition to Intervene in the above-reference docket, requesting to be designated as a party of record and afforded all applicable rights under Florida law and the rules of the Florida Public Service Commission ("Commission"). In support of this Petition, GNAPs states the following:

- 1. GNAPs' principle place of business and telephone number are:

10 Merrymount Road
Quincy, MA 02169
(617) 507-5200

GNAPs received notice of this proceeding through counsel's review of the November 13-16, 2001 Summary of Orders issued by the Commission.

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

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APP
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3. GNAPs' substantial interests will be affected by this proceeding. GNAPs is a competitive provider of telecommunications services in Florida. GNAPs holds a certificate that authorizes it to provide competitive local exchange service in Florida. As a Florida alternative local exchange carrier (ALEC), GNAPs has a substantial interest in ensuring that anticompetitive practices in the Florida telecommunications market are identified and eliminated. As an ALEC that uses unbundled network elements to provide service, GNAPs must rely on incumbent local exchange carriers (ILECs), including BellSouth, to provide GNAPs access to the ILECs' operations support systems and other facilities. When the ILECs fail to perform their duties as required by federal and Florida telecommunications law, GNAPs cannot provide an equivalent or adequate level of service to its customers and thus is placed at a competitive disadvantage as a direct result of the ILECs' behavior and practices. Anti-competitive behavior and practices by the ILECs significantly impairs GNAPs' ability to provide competitive telecommunications services to consumers. Any determinations and actions taken in this docket regarding anticompetitive behavior and practices in the Florida telecommunications market will affect GNAPs' substantial interests as an ALEC in Florida. Accordingly, GNAPs has standing under Chapter 120, Florida Statutes, and applicable rules to participate as a party in this proceeding.

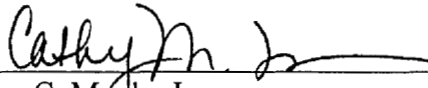
4. Disputed issues of material fact in this proceeding include, but are not limited to:

- (1) Whether ILECs, including BellSouth, are engaging in anticompetitive practices and behaviors in Florida;
- (2) What types of practices and behaviors by ILECs in Florida constitute anticompetitive practices and behaviors; and

(3) What actions should be taken by the Commission and what remedies should be afforded for anticompetitive practices and behaviors committed by ILECs.

WHEREFORE, Global NAPs, Inc., respectfully requests the Commission to grant this Petition to Intervene and afford Global NAPs full party status in this proceeding, including the right to present testimony and exhibits, cross-examine witnesses, and file briefs and all other necessary papers and documents in this proceeding.

Respectfully submitted this 7th day of December, 2001.



Jon C. Moyle, Jr.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document has been served upon the following parties by U.S. Mail this 7th day of December, 2001.

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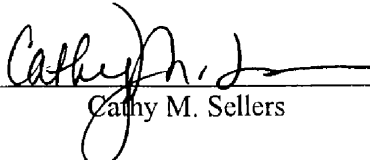
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