

AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

ORIGINAL

January 3, 2003

VIA HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of the Commission
Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0870

RECEIVED - FPSC
03 JAN -3 AM 9:57
COMMISSION
CLERK

Re: Docket No. 000075-TP

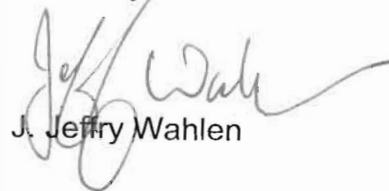
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of the ALLTEL's Notice of Adoption and Joinder in Verizon's Motion for Reconsideration of Commission Vote and Motion for Oral Argument.

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,


J. Jeffrey Wahlen

Enclosures

AUS _____
CAF _____
CMP _____
COM 4
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC 1
OTH _____

cc: All Parties of Record

RECEIVED & FILED


FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER DATE

00058 JAN-38

FPS 0 M

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

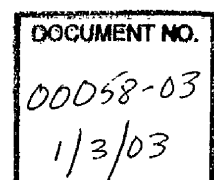
In re: Investigation into appropriate methods
to compensate carriers for exchange of
traffic subject to Section 251 of the Telecom-
munications Act of 1996

DOCKET NO. 000075-TP
FILED: 01/03/03

**ALLTEL'S NOTICE OF ADOPTION AND JOINDER IN
VERIZON'S MOTION FOR RECONSIDERATION OF
COMMISSION VOTE AND MOTION FOR ORAL ARGUMENT**

ALLTEL Florida, Inc. ("ALLTEL" or the "Company"), hereby adopts and joins Verizon in its Motion for Reconsideration of Commission Vote for Procedural Impropriety and Motion for Oral Argument on its Motion for Reconsideration of Commission Vote for Procedural Impropriety, both dated December 30, 2002. In support thereof, ALLTEL states that ALLTEL was not provided reasonable notice of the possibility of presenting oral argument at the Commission's December 17, 2002, Agenda Conference as required by law. As a consequence, ALLTEL did not attend and was denied the opportunity to participate in the Commission's sua sponte oral argument relating to Issue No. 3 (Definition of Local Calling Area for Compensation Purposes) which was permitted to occur in ALLTEL's absence.

In addition, as noted in Verizon's motions, the Commission at the Agenda Conference considered and voted on Staff's November 22, 2002 Recommendation ("Staff Rec.") on the Petitions for Reconsideration of certain Commission rulings in its September 10, 2002 Final Order (as amended by its September 12, 2002 Order) ("Pending Order") in this proceeding. The Recommendation addressed, among other things, Verizon's and ALLTEL's Petition for Reconsideration of the Commission's Pending Order on Issue 3. That decision adopted the



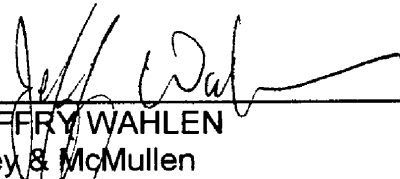
originating carrier's retail local calling area as the default for determining reciprocal compensation obligations for traffic exchanged between local exchange carriers. Commission Staff recommended that the Commission reconsider this decision because it overlooked two points. First, it is inconsistent with the Commission's other ruling in the same case, in the context of the "virtual NXX" issue, that the jurisdiction of a call (and thus, the intercarrier compensation for it) must be determined by its originating and terminating points. Instead of using originating and terminating points to determine compensation for purposes of Issue 3, however, the Commission's default local calling area ruling uses the originating carrier's retail local calling area. Staff's point, which is clearly correct, is that both standards cannot govern compensation; it must be either the retail local calling area or the call's end points.

The second reason Staff cited to justify reconsideration was that the record is not sufficient to support implementation of the Commission's decision that the originating carrier's local calling area should govern reciprocal compensation obligations. (Staff Rec. at 38.) Because of these legal deficiencies in the Pending Order, the Staff advised the Commission not to establish a default local calling area definition.

Issue No. 3, as currently decided, is not only in conflict with current state and federal laws, tariffs and the Commission's own rulings on other comparable issues, but it also has been rendered under a flawed procedure which denied due process to many adversely affected parties, including ALLTEL. The correct resolution of Issue No. 3 will have enormous social and legal consequences. Matters of such weight obligate the Commission to be fully appraised of the law and of the repercussions of the decision under consideration and of the importance of affording all interested and affected parties a full opportunity to present their

positions. Therefore, Verizon and the Rural ILECs such as ALLTEL, that have undeniable interests in the outcome of this issue should be afforded their due process rights as requested in these motions.

DATED this 3d day of January, 2003.



J. JEFFRY WAHLEN
Ausley & McMullen
Post Office Box 391
Tallahassee, Florida 32302
850/425-5471

and

STEPHEN T. REFSELL
ALLTEL Corporate Services, Inc.
One Allied Drive
Little Rock, AR 72203-2177

ATTORNEYS FOR ALLTEL FLORIDA, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U. S. Mail or hand delivery (*) this 3d day of January, 2003, to the following:

Mary Beth Keating/Felicia Banks *
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Allegiance Telecom of Florida, Inc.
Elizabeth Howland
1950 Stemmons Freeway, Suite 3026
Dallas, TX 75207-3118

Allegiance Telecom
Morton Posner
1150 Connecticut Avenue, N.W.
Suite 205
Washington, D.C. 20036

AT&T
Marsha Rule
101 North Monroe Street, Suite 700
Tallahassee, FL 32301-1549

AT&T Communications of the
Southern States, Inc.
Suzanne Ockleberry/James Lamoureux
1200 Peachtree Street, Suite 8017
Atlanta, GA 30309

BellSouth Telecommunications, Inc.
Ms. Nancy B. White, James Meza III
c/o Nancy H. Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301-1556

BellSouth Telecommunications, Inc.
Douglas Lackey/Earl Edenfield
675 W. Peachtree St., #4300
Atlanta, GA 30375

BroadBand Office Communications, Inc.
Julian Chang
951 Mariner's Island Blvd., Suite 700
San Mateo, CA 94404-1561

Cox Communications
Jill N. Butler
4585 Village Avenue
Norfolk, VA 23502

Florida Cable Telecommunications
Assoc., Inc.
Michael A. Gross
246 E. 6th Avenue, Suite 100
Tallahassee, FL 32301

e.spire Communications, Inc.
131 National Business Parkway, # 100
Annapolis Junction, MD 20701-1001

Florida Competitive Carriers Assoc.
c/o McWhirter Law Firm
Joseph McGlothlin/Vicki Kaufman
117 S. Gadsden Street
Tallahassee, FL 32301

Focal Communications Corporation
of Florida
Mr. Paul Rebey
200 North LaSalle Street, Suite 1100
Chicago, IL 60601-1914

Gerry Law Firm
Charles Hudak/Ronald V. Jackson
3 Ravinia Dr., #1450
Atlanta, GA 30346-2117

Global NAPS, Inc.
10 Merrymount Road
Quincy, MA 02169

KMC Telecom, Inc.
John McLaughlin
1755 North Brown Road
Lawrenceville, GA 30043-8119

Kelly Law Firm
Genevieve Morelli
1200 19th St. NW, Suite 500
Washington, DC 20036

Level 3 Communications, LLC
Michael R. Romano
1025 Eldorado Blvd.
Bloomfield, CO 80021-8869

McWhirter Law Firm
Vicki Kaufman
117 S. Gadsden Street
Tallahassee, FL 32301

Messer Law Firm
Norman Horton, Jr.
215 South Monroe Street, Suite 701
Tallahassee, FL 32301-1876

Orlando Telephone Company
Herb Bornack
4558 S.W. 35th Street, Suite 100
Orlando, FL 32811-6541

Rutledge Law Firm
Kenneth Hoffman/John Ellis/M. McDonnell
P. O. Box 551
Tallahassee, FL 32302-0551

Intermedia Communications, Inc.
Donna C. McNulty
The Atrium, Suite 105
325 John Knox Road
Tallahassee, FL 32303-4131

Katz, Kuttler Law Firm
Charles Pellegrini/Patrick Wiggins
12th Floor, 106 East College Avenue
Tallahassee, FL 32301

Landers Law Firm
Scheffel Wright
P. O. Box 271
Tallahassee, FL 32302

MCI WorldCom
Ms. Donna C. McNulty
325 John Knox Road, Suite 105
Tallahassee, FL 32303-4131

MediaOne Florida Telecommunications, Inc.
Rhonda P. Merritt
101 North Monroe Street, Suite 700
Tallahassee, FL 32301

Moyle Law Firm
Jon Moyle/Cathy Sellers
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301

Pennington Law Firm
Peter Dunbar/Karen Camechis
P. O. Box 10095
Tallahassee, FL 32302-2095

Sprint-Florida, Incorporated
Charles J. Rehwinkel/Susan Masterton
P. O. Box 2214
MS: FLTLHO0107
Tallahassee, FL 32316-2214

Supra Telecom
Brian Chaiken
2620 S.W. 27th Avenue
Miami, FL 33133-3001

Time Warner Telecom of Florida, L.P.
Carolyn Marek
233 Bramerton Court
Franklin, TN 37069

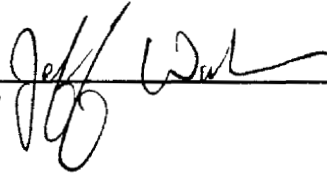
Verizon Select Services, Inc.
Kimberly Caswell
P. O. Box 110, FLTC0007
Tampa, FL 33601-0110

TCG South Florida
Lisa A. Riley
1200 Peachtree Street, N.E., Ste. 8066
Atlanta, GA 30309-3523

US LEC of Florida, Inc.
Wanda Montano
Morrocroft III
6801 Morrison Blvd.
Charlotte, NC 28211

XO Florida, Inc.
Dana Shaffer
105 Molly Street, Suite 300
Nashville, TN 37201-2315

Attorney

A handwritten signature in black ink, appearing to read "Jeff Wall", is written over a horizontal line. The signature is stylized and cursive.

h:\jjw\all\000075\notice of adoption.doc