

# 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

September 29, 2003

## **BY 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 32399-0850

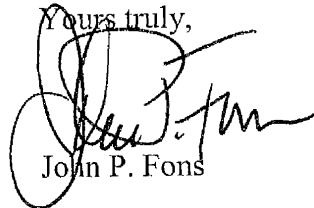
Re: Docket No. 030868-TL

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and fifteen (15) copies of Sprint-Florida, Inc.'s Response in Opposition to AARP's Motion to Dismiss.

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.

Yours truly,  
  
John P. Fons

Enclosures

cc: Certificate of Service List

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DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: SPRINT-FLORIDA, INCORPORATED'S  
PETITION TO REDUCE INTRASTATE  
SWITCHED NETWORK ACCESS RATES TO  
INTERSTATE PARITY IN A REVENUE  
NEUTRAL MANNER PURSUANT TO  
SECTION 364.164(1), FLORIDA STATUTES

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DOCKET NO. 030868-TL  
FILED: September 29, 2003

**SPRINT-FLORIDA, INC.'S RESPONSE IN OPPOSITION TO  
AARP'S MOTION TO DISMISS**

Sprint-Florida, Inc. ("Sprint"), pursuant to Rule 28-106.204, Florida Administrative Code, hereby responds in opposition to AARP's Motion to Dismiss ("Motion"), stating as follows:

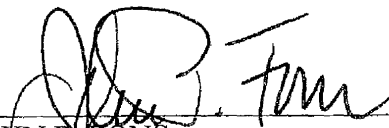
1. On September 23, 2003, AARP filed its Motion to Dismiss, in which AARP repeats the grounds for dismissing Sprint's Petition to Reduce Intrastate Switched Network Access Rates to Intrastate Parity in a Revenue Neutral Manner Pursuant to Section 364.164(1), Florida Statutes ("Petition") set forth in Citizens' Motion to Dismiss Petition ("Citizens' Motion"). AARP Motion at ¶¶ 1 through 4. AARP's Motion also sets out the Commission Staff's primary analysis contained in its Memorandum, dated September 18, 2003, for recommending that the Commission, as an alternative, grant Citizens' Motion to Dismiss. AARP Motion at ¶ 5. AARP agrees with the positions set forth in Citizens' Motion, as well as the basis for Staff's primary analysis, and joins in Citizens' Motion to Dismiss. AARP Motion at ¶ 8.

2. For all the same reasons set forth in BellSouth Telecommunications, Inc., and Sprint-Florida, Inc.'s, Joint Response to Citizens' Motion to Dismiss Petitions (Joint Response"),

AARP's reliance on Citizens' Motion and Staff's Memorandum is misplaced. Sprint reiterates its arguments in the Joint Response that the positions advanced by Citizens' for dismissing Sprint's Petition are fundamentally flawed. Additionally, Sprint observes that Staff's interpretation of the phrase "over a period of not less than 2 years," is inconsistent with the meaning of that phrase when viewed in context with the other time-related requirements of Section 364.164, Florida Statutes

WHEREFORE, Sprint-Florida requests that the Commission deny AARP's Motion to Dismiss.

RESPECTFULLY SUBMITTED,



JOHN P. FONS  
Fla. Bar No. 0280836  
Ausley & McMullen  
P.O. Box 391  
Tallahassee, FL 32302  
(850) 224-9115

and

SUSAN S. MASTERTON  
Fla. Bar No. 0494224  
Sprint-Florida, Inc.  
P.O. Box 2214  
Tallahassee, FL 32316-2214  
(850) 599-1560

ATTORNEYS FOR SPRINT-FLORIDA,  
INCORPORATED

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by

U.S. Mail, e-mail or hand delivery (\*) this 24th day of September, 2003, to the following:

Beth Keating, Esq. (\*)  
Felicia Banks, Esq.  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Charles Beck  
Interim Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 W. Madison St., Rm. 812  
Tallahassee, FL 32399-1400

Marshall Criser  
BellSouth Telecommunications  
150 S. Monroe St., Suite 400  
Tallahassee, FL 32301

Alan Ciamporcero  
President - Southeast Region  
Verizon-Florida  
201 N. Franklin St., FLTC0006  
Tampa, FL 33602

Richard Chapkis, Esq.  
Verizon-Florida  
P.O. Box 110, FLTC0007  
Tampa, FL 33601-0110

Tracy Hatch/Chris McDonald  
AT&T Communications  
101 N. Monroe St., Suite 700  
Tallahassee, FL 32301

Brian Sulmonetti  
MCI WorldCom  
Concourse Corporate Center Six  
Six Concourse Parkway, Suite 3200  
Atlanta, GA 30328

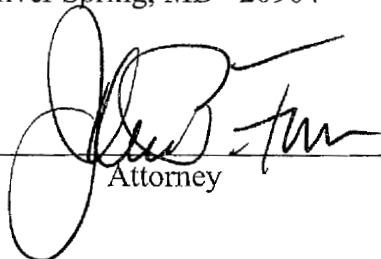
Donna McNulty, Esq.  
MCI WorldCom  
1203 Governors Square Blvd.; Suite 201  
Tallahassee, FL 32301

Michael A. Gross, Esq.  
FCTA  
246 E. 6th Ave., Suite 100  
Tallahassee, FL 32302

Nancy White, Esq.  
c/o Nancy Sims  
BellSouth Telecommunications  
150 S. Monroe St., Suite 400  
Tallahassee, FL 32301

Michael B. Twomey  
P. O. Box 5256  
Tallahassee, FL 32314-5256

Mark Cooper  
504 Highgate Terrace  
Silver Spring, MD 20904

  
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Attorney