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January 5, 2004

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

**Re: Docket No. 030851-TP: Implementation of requirements arising from  
Federal Communications Commission Triennial UNE Review: Local Circuit  
Switching for Mass Market Customers**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Motion to Strike Portions of Select Parties' Direct Testimony, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,



Nancy B. White (BA)

cc: All Parties of Record  
Marshall M. Criser III  
R. Douglas Lackey

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
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**CERTIFICATE OF SERVICE  
Docket No. 030851-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via  
Electronic Mail and FedEx this 5th day of January 2004 to the following:

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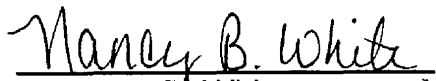
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**ORIGINAL**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Implementation of requirements arising )  
from Federal Communications Commission )  
triennial UNE review: Local Circuit Switching )  
for Mass Market Customers. )  
\_\_\_\_\_ )

Docket No. 030851-TP

Filed: January 5, 2004

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
MOTION TO STRIKE PORTIONS OF SELECT  
PARTIES' DIRECT TESTIMONY**

BellSouth Telecommunications, Inc. ("BellSouth") respectfully submits this Motion to Strike Portions of Select Parties' Direct Testimony ("Motion to Strike"). The Florida Public Service Commission ("Commission") should strike the portions of Parties' testimony identified below because said testimony has no relevance to the issues identified for this docket and embodied in the Second Order on Procedure (Order No. PSC-03-1265-PCO-TP) issued on November 7, 2003. In support of this Motion to Strike, BellSouth states the following:

1. On October 6, and October 23, 2003, Issue Identification Conferences were conducted between the Prehearing Officer and all the parties to discuss the issues that needed to be identified for resolution in this proceeding. After considering the arguments presented at the conferences, on November 7, 2003, the Prehearing Officer issued Order No. PSC-03-1265-PCO-TP ("Second Order on Procedure"), which set forth the issues to be addressed in this proceeding. The issues were grouped in the following categories: (1) market definition; (2) batch cut process; (3) actual switch deployment; (4) potential for self-provisioning of local switching; and (5) transitional use of unbundled local switching.

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2. Direct testimony was filed in this docket on December 4, 2003. Certain of the testimony filed by Supra Telecommunications and Information Systems, Inc. ("Supra") (witness Stahly) and Z-Tel Communications, Inc. ("Z-Tel") (witness Reith), do not relate to the issues set forth in the Second Order on Procedure.

3. Supra filed the direct testimony of witness David E. Stahly. BellSouth submits that the following portions of Mr. Stahly's testimony should be stricken as irrelevant:

- A. Page 6, line 21 through page 10, line 6 – This testimony is merely a purported summary of the Act and Supra's alleged attempts to compete.
- B. Page 11, line 5 through page 13, line 5 – This testimony is merely a recitation of Supra's alleged grievances against BellSouth.
- C. Page 13, line 7 through page 14, line 2 – This testimony consists of Supra's take on the investment market.
- D. Page 16, lines 5 through 16 – This testimony consists of Supra's take on the effect of competition on BellSouth.

None of the above referenced testimony addresses the issues set forth in the Second Order on Procedure.

4. Z-Tel filed the direct testimony of witness Michael Reith. Mr. Reith filed 22 pages of testimony plus seven exhibits. Absolutely none of Mr. Reith's testimony or his exhibits address the issues set forth in the Second Order on Procedure. Rather, Mr. Reith's testimony consists of nothing more than a history of Z-Tel and the services it provides and a plea to the Commission to maintain the status quo. Z-Tel has completely missed the mark and has not responded to any of the issues set forth by the Second Order on Procedure. All of Mr. Reith's testimony should be stricken.

5. To allow the referenced testimony to remain in the record would violate the Second Order on Procedure.

WHEREFORE, for the foregoing reasons, BellSouth respectfully requests that the Commission grant this Motion to Strike.

Respectfully submitted this 5th day of January, 2004.

BELLSOUTH TELECOMMUNICATIONS, INC.

*Nancy B. White*

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