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June 9, 2004

**FLORIDA PUBLIC SERVICE COMMISSION
DIVISION OF COMMISSION CLERK and
ADMINISTRATIVE SERVICES**
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

RECEIVED-FPSC
JUN 10 AM 10:13
COMMISSION
CLERK

In re: Interconnection Agreement between Saturn Telecommunication Services, Inc.
d/b/a STS Telecom and BellSouth Telecommunications, Inc.

To Whom It May Concern:

Enclosed please find fifteen (15) copies of Saturn Telecommunication Services, Inc. d/b/a STS Telecom's Petition to Require Bellsouth Telecommunications, Inc. to Negotiate in Good Faith And/or Require Mediation.

If you require any additional information, please do not hesitate to contact the undersigned.

Very truly yours,



ALAN C. GOLD
/nhs

Enclosure

cc: BellSouth Telecommunications, Inc.
ICS Attorney

07 JUN 10 AM 10:07

RECEIVED-FPSC
DOCUMENT NUMBER-DATE

06461 JUN 10 3

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Interconnection Agreement between
Saturn Telecommunication Services, Inc.
d/b/a STS Telecom and BellSouth
Telecommunications, Inc.

**PETITION TO REQUIRE BELLSOUTH TELECOMMUNICATIONS, INC. TO
NEGOTIATE IN GOOD FAITH AND/OR REQUIRE MEDIATION**

COMES NOW the Petitioner, SATURN TELECOMMUNICATION SERVICES, INC. d/b/a STS TELECOM (“STS”) by and through its undersigned Counsel and files its Petition seeking that the Florida Public Service Commission enter its order requiring BellSouth Telecommunications, Inc. (“BellSouth”) to negotiate a Commercial Agreement with it in good faith, or enter its order requiring both STS and BellSouth to mediate the issues of a Commercial Agreement before a representative of the Florida Commission, and states as follows:

1. The name and address of the company affected by this Petition is the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399.
2. Petitioner, Saturn Telecommunication Services, Inc. (STS) is a corporation organized and existing under the laws of the State of Florida, and doing business as STS Telecom with its principal office located at 12233 SW 55 Street, Suite 811, Cooper City, FL 33330.
3. STS is represented in this action by Alan C. Gold, Esquire, Alan C. Gold, P.A., 1320 South Dixie Highway, Suite 870, Coral Gables, FL 33146; (305) 667-0475.
4. STS is certified by the Florida Public Service Commission as a competitive local exchange telecommunications carrier, certificate number PSC-02-1746-PAA-TX.
5. STS adopted the Interconnection Agreement by and between BellSouth and IDS

DOCUMENT NUMBER-DATE

06461 JUN 10 3

FPSC-COMMISSION CLERK

Telcom, LLC. (Interconnection Agreement). Pursuant to the terms of that Agreement, STS is leasing certain services and facilities from BellSouth. The inability to obtain those facilities and services on fair and equitable terms would seriously impair the ability of STS to provide the services that it is offering to the public.

6. On March 3, 2004, in the case of *United States Telecom Association v. Federal Communications Commission*, 00-1012 in the United States Court of Appeals for the District of Columbia raised substantial confusion and uncertainty with respect to the continued viability of Interconnection Agreements such as the agreement between STS and BellSouth.
7. On March 31, 2004, the Federal Communications Commission sent a letter to the Chairman and CEO of BellSouth, as well as many other similarly-situated individuals, urging them to “begin a period of good faith negotiations to arrive at commercially acceptable arrangements for the availability of unbundled network elements.” A copy of that letter is attached hereto as Exhibit “A”.
8. STS has attempted repeatedly to negotiate such an agreement with BellSouth. Despite repeatedly making efforts by STS, BellSouth refuses to enter good faith negotiations. BellSouth has refused to negotiate in person, issued numerous ultimatums, has refused to negotiate any significant terms and has done everything possible to obstruct negotiations. The method and manner of “negotiation” by BellSouth renders the process of negotiation meaningless and is tantamount to no negotiation at all.
9. Pursuant to the Interconnection Agreement above mentioned and Florida Law, the Florida Public Service Commission has jurisdiction over this matter.
10. Both the public as well as STS will suffer great harm unless BellSouth is compelled

to negotiate an agreement in good faith. Further an order requiring both STS and BellSouth to attend mediation could be fruitful.

WHEREFORE, SATURN TELECOMMUNICATIONS SERVICES, INC. d/b/a STS TELECOM requests that the Florida Public Service Commission enter its order requiring that BellSouth in good faith enter face-to-face meaningful negotiations on a commercial agreement, and in addition thereto or in lieu thereof, that BellSouth and STS be required to attend mediation within the next 30 days and for such other relief to which Petitioner is entitled.

Respectfully submitted,

ALAN C. GOLD, P.A.
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(305) 667-0475 (office)
(305) 663-0799 (telefax)

BY: ALAN C. GOLD, ESQUIRE
Florida Bar Number: 304875
JAMES L. PARADO, ESQUIRE
Florida Bar Number: 0580910

KEITH KRAMER FOR
SATURN TELECOMMUNICATIONS
SERVICES, INC., d/b/a STS TELECOM

CERTIFICATE OF MAILING

I hereby certify that the foregoing **PETITION TO REQUIRE BELLSOUTH TELECOMMUNICATIONS, INC. TO NEGOTIATE IN GOOD FAITH AND/OR REQUIRING MEDIATION** was mailed via U.S. Mail on June 9, 2004, to:

• **BellSouth Telecommunications, Inc.**

BellSouth Local Contract Manager
600 North 19th Street, 8th Floor
Birmingham, Alabama 35203

and

ICS Attorney
Suite 4300
675 W. Peachtree Street
Atlanta, GA 30375

and was Federal Express Overnight Delivery on this 9th day of June 2004 to

**FLORIDA PUBLIC SERVICE COMMISSION
DIVISION OF COMMISSION CLERK and
ADMINISTRATIVE SERVICES**
2540 Shumard Oak Boulevard
Tallahassee, FL 32399


BY: ALAN C. GOLD, ESQUIRE
FLORIDA BAR #304875



Federal Communications Commission
Washington, D.C. 20554

March 31, 2004

F. Duane Ackerman
Chairman & CEO
BellSouth Corporation
1155 Peachtree Street, N.E.
Suite 2000
Atlanta, GA 30309

Dear Mr. Ackerman:

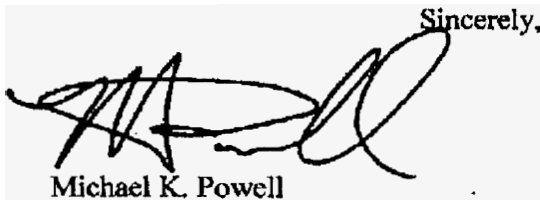
We write to urge your participation in a serious effort to reach mutually acceptable terms for offering unbundled network elements. Ongoing litigation has unsettled the market. We call upon the telecommunications industry to begin a period of commercial negotiations designed to restore certainty and preserve competition in the telecommunications market. We have asked telecommunications carriers to engage in a period of good faith negotiations to arrive at commercially acceptable arrangements for the availability of unbundled network elements. We trust the parties to utilize all means at their disposal, including the selection of a third-party mediator, to maximize the success of this effort. For our part, we intend to petition the D.C. Circuit for a 45-day extension of the stay of the court's mandate vacating the Commission's rules. We likewise will request that the Solicitor General seek a comparable extension of the deadline for filing a petition for certiorari. We seek your support in these two matters.

The express, limited purpose of these requests is to allow negotiations to take place and for the parties to reach commercial agreements. The Communications Act emphasizes the role of commercial negotiations as a tool in shaping a competitive communications marketplace. After years of litigation and uncertainty, such agreements are needed now more than ever. In the past, the Commission has been divided on these issues. Today, we come together with one voice to send a clear and unequivocal signal that the best interests of consumers are served by negotiation. We call on all sides to commit to working in good faith toward a prompt resolution.

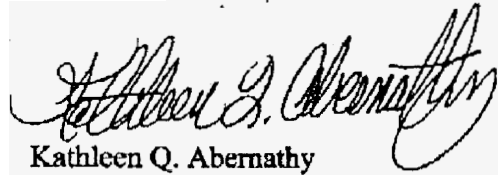


We urge you to participate fully in this important effort. Please indicate to us by Tuesday, April 6 whether your company or organization will participate and will support a stay of the court's mandate. In the end, we trust you share our view that America's telephone consumers are served best by ending this uncertainty and getting back to business. America's telephone consumers will be served by successfully negotiated agreements.

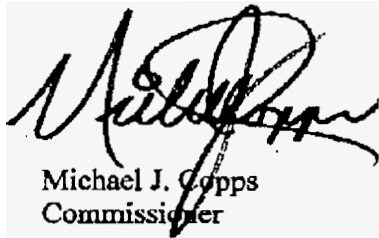
Sincerely,



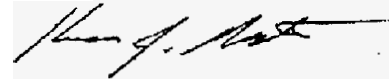
Michael K. Powell
Chairman



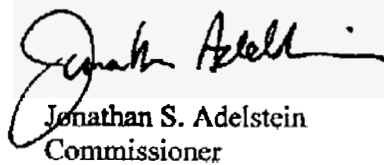
Kathleen Q. Abernathy
Commissioner



Michael J. Copps
Commissioner



Kevin J. Martin
Commissioner



Jonathan S. Adelstein
Commissioner