

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Joint petition by TDS Telecom d/b/a TDS Telecom/Quincy Telephone; ALLTEL Florida, Inc.; Northeast Florida Telephone Company d/b/a NEFCOM; GTC, Inc. d/b/a GT Com; Smart City Telecommunications, LLC d/b/a Smart City Telecom; ITS Telecommunications Systems, Inc.; and Frontier Communications of the South, LLC ["Joint Petitioners"] objecting to and requesting suspension and cancellation of proposed transit traffic service tariff filed by BellSouth Telecommunications, Inc.

DOCKET NO. 050119-TP

In re: Petition and complaint for suspension and cancellation of Transit Traffic Service Tariff No. FL2004-284 filed by BellSouth Telecommunications, Inc., by AT&T Communications of the Southern States, LLC.

DOCKET NO. 050125-TP
FEBRUARY 21, 2006

COMMISSION STAFF'S MOTION TO LATE-FILE
PREHEARING STATEMENT

Commission Staff (Staff), by and through undersigned counsel, pursuant to Rule 28-106.204, Florida Administrative Code, hereby requests to file its prehearing statement one week late and as grounds therefore states:

1. This matter has been scheduled for an administrative hearing on March 29 – 30, 2006. Pursuant to Order No. PSC-05-1206-PCO-TP, prehearing statements were required to be filed February 20, 2006.
2. Due to an inadvertent oversight, Staff missed the filing date for the prehearing statement.
3. Upon realizing the oversight, Staff promptly submits the attached prehearing statement concurrent with this Motion. Also, parties have been notified of this

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

motion, and to date, no party has objected. It should be noted that parties will not be prejudiced by the late filing of the prehearing statement.

Wherefore, Commission Staff moves the Prehearing Officer to accept the attached prehearing statement which Staff is filing late.

Respectfully submitted this 21st day of February, 2006.


KIRA SCOTT
Staff Counsel

FLORIDA PUBLIC SERVICE COMMISSION
Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(850) 413-6199

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DATED: FEBRUARY 21, 2006

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-05-1206-PCO-TP, issued December 6, 2005, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

None.

b. All Known Exhibits

None.

c. Staff's Statement of Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

d. Staff's Position on the Issues

ISSUE 1: IS BELLSOUTH'S TRANSIT SERVICE TARIFF AN APPROPRIATE MECHANISM TO ADDRESS TRANSIT SERVICE PROVIDED BY BELLSOUTH?

POSITION: Staff has no position at this time.

ISSUE 2: IF AN ORIGINATING CARRIER UTILIZES THE SERVICES OF BELLSOUTH AS A TANDEM PROVIDER TO SWITCH AND TRANSPORT TRAFFIC TO A THIRD PARTY NOT AFFILIATED WITH BELLSOUTH, WHAT ARE THE RESPONSIBILITIES OF THE ORIGINATING CARRIER?

POSITION: Staff has no position at this time.

ISSUE 3: WHICH CARRIER SHOULD BE RESPONSIBLE FOR PROVIDING COMPENSATION TO BELLSOUTH FOR THE PROVISION OF THE TRANSIT TRANSPORT AND SWITCHING SERVICES?

POSITION: Staff has no position at this time.

ISSUE 4: WHAT IS BELLSOUTH'S NETWORK ARRANGEMENT FOR TRANSIT TRAFFIC AND HOW IS IT TYPICALLY ROUTED FROM AN ORIGINATING PARTY TO A TERMINATING THIRD PARTY?

POSITION: Staff has no position at this time.

ISSUE 5: SHOULD THE FPSC ESTABLISH THE TERMS AND CONDITIONS THAT GOVERN THE RELATIONSHIP BETWEEN AN ORIGINATING CARRIER AND THE TERMINATING CARRIER, WHERE BELLSOUTH IS PROVIDING TRANSIT SERVICE AND THE ORIGINATING CARRIER IS NOT INTERCONNECTED WITH, AND HAS NO INTERCONNECTION AGREEMENT WITH, THE TERMINATING CARRIER? IF SO, WHAT ARE THE APPROPRIATE TERMS AND CONDITIONS THAT SHOULD BE ESTABLISHED?

POSITION: Staff has no position at this time.

ISSUE 6: SHOULD THE FPSC DETERMINE WHETHER AND AT WHAT TRAFFIC THRESHOLD LEVEL AN ORIGINATING CARRIER SHOULD BE REQUIRED TO FOREGO USE OF BELLSOUTH'S TRANSIT SERVICE AND OBTAIN DIRECT INTERCONNECTION WITH A TERMINATING CARRIER? IF SO, AT WHAT TRAFFIC LEVEL SHOULD AN ORIGINATING CARRIER BE REQUIRED TO OBTAIN DIRECT INTERCONNECTION WITH A TERMINATING CARRIER?

POSITION: Staff has no position at this time.

ISSUE 7: HOW SHOULD TRANSIT TRAFFIC BE DELIVERED TO THE SMALL LEC'S NETWORKS?

POSITION: Staff has no position at this time.

ISSUE 8: SHOULD THE FPSC ESTABLISH THE TERMS AND CONDITIONS THAT GOVERN THE RELATIONSHIP BETWEEN BELLSOUTH AND A TERMINATING CARRIER, WHERE BELLSOUTH IS PROVIDING TRANSIT SERVICE AND THE ORIGINATING CARRIER IS NOT INTERCONNECTED WITH, AND HAS NO INTERCONNECTION AGREEMENT WITH, THE TERMINATING CARRIER? IF SO, WHAT ARE THE APPROPRIATE TERMS AND CONDITIONS THAT SHOULD BE ESTABLISHED?

POSITION: Staff has no position at this time.

ISSUE 9: SHOULD THE FPSC ESTABLISH THE TERMS AND CONDITIONS OF TRANSIT TRAFFIC BETWEEN THE TRANSIT SERVICE PROVIDER AND THE SMALL LEC'S THAT ORIGINATE AND TERMINATE TRANSIT TRAFFIC? IF SO, WHAT ARE THE TERMS AND CONDITIONS?

POSITION: Staff has no position at this time.

ISSUE 10: WHAT EFFECT DOES TRANSIT SERVICE HAVE ON ISP BOUND TRAFFIC?

POSITION: Staff has no position at this time.

ISSUE 11: HOW SHOULD CHARGES FOR BELLSOUTH'S TRANSIT SERVICE BE DETERMINED?

- (a) WHAT IS THE APPROPRIATE RATE FOR TRANSIT SERVICE?
- (b) WHAT TYPE OF TRAFFIC DO THE RATES IDENTIFIED IN (A) APPLY?

POSITION: Staff has no position at this time.

ISSUE 12: CONSISTENT WITH ORDER NOS. PSC-05-0517-PAA-TP AND PSC-05-0623-CO-TP, HAVE THE PARTIES TO THIS DOCKET ("PARTIES") PAID BELLSOUTH FOR TRANSIT SERVICE PROVIDED ON OR AFTER FEBRUARY 11, 2005? IF NOT, WHAT AMOUNTS IF ANY ARE OWED TO BELLSOUTH FOR TRANSIT SERVICE PROVIDED SINCE FEBRUARY 11, 2005?

POSITION: Staff has no position at this time.

ISSUE 13: HAVE PARTIES PAID BELLSOUTH FOR TRANSIT SERVICE PROVIDED BEFORE FEBRUARY 11, 2005? IF NOT, SHOULD THE PARTIES PAY BELLSOUTH FOR TRANSIT SERVICE PROVIDED BEFORE FEBRUARY 11, 2005, AND IF SO, WHAT AMOUNTS, IF ANY, ARE OWED TO BELLSOUTH FOR TRANSIT SERVICE PROVIDED BEFORE FEBRUARY 11, 2005?

POSITION: Staff has no position at this time.

ISSUE 14: WHAT ACTION, IF ANY, SHOULD THE FPSC UNDERTAKE AT THIS TIME TO ALLOW THE SMALL LECS TO RECOVER THE COSTS INCURRED OR ASSOCIATED WITH BELLSOUTH'S PROVISION OF TRANSIT SERVICE?

POSITION: Staff has no position at this time.

ISSUE 15: SHOULD BELLSOUTH ISSUE AN INVOICE FOR TRANSIT SERVICES AND IF SO, IN WHAT DETAIL AND TO WHOM?

POSITION: Staff has no position at this time.

ISSUE 16: SHOULD BELLSOUTH PROVIDE TO THE TERMINATING CARRIER SUFFICIENTLY DETAILED CALL RECORDS TO ACCURATELY BILL

**THE ORIGINATING CARRIER FOR CALL TERMINATION? IF SO,
WHAT INFORMATION SHOULD BE PROVIDED BY BELLSOUTH?**

POSITION: Staff has no position at this time.

**ISSUE 17: HOW SHOULD BILLING DISPUTES CONCERNING TRANSIT
SERVICE BE ADDRESSED?**

POSITION: Staff has no position at this time.

e. Pending Motions

Staff has no pending motions.

f. Pending Confidentiality Claims or Requests

Staff has no pending confidentiality claims or requests.

g. Compliance with Order No. PSC-05-1206-PCO-TP, issued December 6, 2005

Staff has complied with all requirements of the Order Establishing Procedure entered in this docket.

Respectfully submitted this 21st day of February, 2006.



KIRA SCOTT
Staff Counsel

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2540 Shumard Oak Boulevard
Gerald L. Gunter Building - Room 370
Tallahassee, Florida 32399-0863
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FILED: FEBRUARY 21, 2006

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Staff's Motion to Late-File Prehearing Statement and Staff's Late-Filed Prehearing Statement has been served by U.S. mail and E-mail this 21st day of February, 2006:

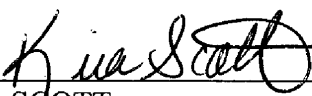
Ken Hoffman/Martin McDonnell/M. Rule Rutledge Law Firm Post Office Box 551 Tallahassee, FL 32302-0551 TDS Telecom d/b/a TDS Telecom/Quincy Telephone; ALLTEL Florida, Inc.; Northeast Florida Telephone Company d/b/a NEFCOM; GTC, Inc. d/b/a GT Com; Smart City Telecommunications, LLC d/b/a Smart City Telecom; ITS Telecommunications Systems, Inc.; and Frontier Communications of the South, LLC	Tracy Hatch AT&T Communications of the Southern States, LLC 101 North Monroe Street, Suite 700 Tallahassee, FL 32301-1549
Nancy B. White/R. D. Lackey/M. Mays c/o Nancy H. Sims BellSouth Telecommunications, Inc. 150 South Monroe Street, Suite 400 Tallahassee, FL 32301-1556	Stephen B. Rowell/Bettye Willis AllTel One Allied Drive, B5F11 Little Rock, AR 72202

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