

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.'s service territory.

DOCKET NO. 981834-TP

In re: Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for generic investigation to ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and GTE Florida Incorporated comply with obligation to provide alternative local exchange carriers with flexible, timely, and cost-efficient physical collocation.

DOCKET NO. 990321-TP
ORDER NO. PSC-00-0109-PCO-TP
ISSUED: January 11, 2000

ORDER GRANTING MOTION TO FILE SUPPLEMENTAL REBUTTAL TESTIMONY

On December 10, 1998, the Florida Competitive Carriers Association (FCCA), the Telecommunications Resellers, Inc. (TRA), AT&T Communications of the Southern States, Inc. (AT&T), MCImetro Access Transmission Services, LLC (MCImetro), WorldCom Technologies, Inc. (WorldCom), the Competitive Telecommunications Association (Comptel), MGC Communications, Inc. (MGC), and Intermedia Communications Inc. (Intermedia) (collectively, "Competitive Carriers") filed their Petition of Competitive Carriers for Commission Action to Support Local Competition in BellSouth's Service Territory, Docket No. 981834-TP. In the Petition, the Competitive Carriers asked the Commission to initiate proceedings regarding a number of issues, including collocation in BellSouth central offices.

By Order No. PSC-99-1078-PCO-TP, issued May 26, 1999, we indicated, among other things, that we would conduct a Section 120.57(1), Florida Statutes, formal administrative hearing to

DOCUMENT NUMBER-DATE

00458 JAN 11 8

FPSC-RECORDS/REPORTING

ORDER NO. PSC-00-0109-PCO-TP
DOCKETS NOS. 981834-TP, 990321-TP
PAGE 2

address collocation and access to loop issues as soon as possible following the UNE pricing and OSS operational proceedings.

On March 12, 1999, ACI Corp. d/b/a Accelerated Connections, Inc., now known as Rhythms Links Inc. (RLI), filed a Petition for Generic Investigation into Terms and Conditions of Physical Collocation, Docket No. 990321-TP. On April 6, 1999, GTEFL and BellSouth filed responses to RLI's Petition. By Proposed Agency Action Order No. PSC-99-1744-PAA-TP, issued September 7, 1999, we granted, in part, the Petition for Generic Investigation, consolidated Dockets Nos. 981834-TP and 990321-TP for purposes of addressing generic collocation issues for all incumbent local exchange companies (ILECs), and established guidelines governing certain aspects of physical collocation. Portions of that Order were protested. In addition, issues beyond those addressed by our Proposed Agency Action Order have been identified. We have, therefore, set this generic investigation for an administrative hearing in order to explore the protested issues and additional collocation issues.

On December 6, 1999, Sprint-Florida, Incorporated, (Sprint) filed a Motion to Accept Supplemental Rebuttal Testimony of Michael R. Hunsucker. No responses to Sprint's Motion were filed.

Sprint states that in accordance with the Order Establishing Procedure for this Docket, it was required to file its direct testimony on October 28, 1999, and its rebuttal testimony on November 19, 1999. Sprint states that GTEFL timely filed its direct testimony of John W. Ries on October 28, 1999, and Sprint prepared its rebuttal testimony based upon that filing. Sprint explains, however, that on November 16, 1999, GTEFL filed revised direct testimony for John W. Ries. Sprint asserts that this revised testimony of GTEFL's witness Ries is substantially different from the original on several issues. Sprint contends that it was unable to revise its rebuttal testimony to address GTEFL's revised direct testimony in time to meet the November 19, 1999, filing deadline. Therefore, Sprint asks that it be allowed to file supplemental rebuttal testimony for its witness Michael R. Hunsucker to address issues raised in GTEFL's revised direct testimony. Sprint adds that it withdraws any testimony contained

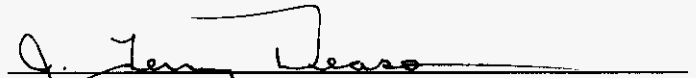
ORDER NO. PSC-00-0109-PCO-TP
DOCKETS NOS. 981834-TP, 990321-TP
PAGE 3

Sprint's Motion to Accept Supplemental Rebuttal testimony of Michael R. Hunsucker.

Based upon the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that Sprint-Florida, Inc.'s Motion to Accept Supplemental Rebuttal Testimony of Michael R. Hunsucker is granted.

By ORDER of Commissioner J. Terry Deason as Prehearing Officer, this 11th Day of January, 2000.



J. TERRY DEASON
Commissioner and Prehearing Officer

(S E A L)

BK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

ORDER NO. PSC-00-0109-PCO-TP
DOCKETS NOS. 981834-TP, 990321-TP
PAGE 4

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.