

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into appropriate methods to compensate carriers for exchange of traffic subject to Section 251 of the Telecommunications Act of 1996.

DOCKET NO. 000075-TP
ORDER NO. PSC-01-0632-PCO-TP
ISSUED: March 15, 2001

ORDER ON SCHEDULE AND ISSUES FOR PHASE II

I. Case Background

On January 21, 2000, this docket was established to investigate the appropriate methods to compensate carriers for exchange of traffic subject to Section 251 of the Telecommunications Act of 1996. On November 22, 2000, Order No. PSC-00-2229-PCO-TP, establishing procedure, was issued and the controlling dates set. On December 7, 2000, Order No. PSC-00-2350-PCO-TP, was issued to adopt, incorporate and supplement Order No. PSC-00-2229-PCO-TP. On December 11, 2000, Florida Competitive Carriers Association, AT&T Communications of the Southern States, Inc., Intermedia Communications, Inc., WorldCom, Inc., XO Communications, Inc., Time Warner Telecom of Florida, L.P., e.spire Communications, Inc., Florida Cable Telecommunications Association, Allegiance Telecom of Florida, Inc., Global Naps, Inc., US LEC of Florida, Inc., and Cox Florida Telecom, L.P. (collectively "ALECs") filed a Joint Motion to Extend Filing Dates, Bifurcate, and Request for Issue Identification/Status Conference. On December 15, 2000, Verizon Florida, Inc., BellSouth Telecommunications, Inc., and Sprint-Florida Incorporated filed a joint response to the motion filed by the ALECs.

On December 20, 2000, Order No. PSC-00-2452-PCO-TP, was issued granting the Joint Motion in part and denying in part. Pursuant to that Order, Issues 1-9 were addressed in the March 7-9, 2001, hearing and Issues 10-18 will be addressed in the subsequent hearing scheduled for July 5 and 6, 2001.

This Order is being issued to establish the schedule and issues for Phase II of this proceeding, in accordance with Order No. PSC-00-2452-PCO-TP. Issues 10-17 are set forth as issues for

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Phase II in accordance with Order No. PSC-00-2350-PCO-TP. Issue 18 has been added as a result of the issues identification meeting conducted by our staff on January 24, 2001.

II. Issues

Attached to this order as Appendix "A" is the list of the issues which have been identified for Phase II of this proceeding. Prefiled testimony and prehearing statements shall address the issues set forth in Appendix "A".

III. Controlling Dates

The following dates have been established to govern the key activities of this case.

- | | |
|------------------------------------|-----------------|
| 1) Direct testimony and exhibits | March 12, 2001 |
| 2) Rebuttal testimony and exhibits | April 12, 2001 |
| 3) Prehearing Statements | May 31, 2001 |
| 4) Prehearing Conference | June 13, 2001 |
| 5) Hearing | July 5-6, 2001 |
| 6) Briefs | August 10, 2001 |

Based upon the foregoing, it is


ORDERED by Lila A. Jaber, as Prehearing Officer, that the filing dates identified in this Order are hereby approved. It is further

ORDERED that the testimony and exhibits filed in Phase II of this proceeding shall address the issues identified in Appendix "A" to this Order. It is further

ORDERED that the hearing procedure set forth in Order No. PSC-00-2229-PCO-TP, and modified by Orders Nos. PSC-00-2350-PCO-TP and PSC-00-2452-PCO-TP is hereby affirmed in all other respects.

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By ORDER of Commissioner Lila A. Jaber as Prehearing Officer,
this 15thDay of March, 2001.



LILA A. JABER
Commissioner and Prehearing Officer

(S E A L)

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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

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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.

APPENDIX "A"
Issues List

10. Pursuant to the Telecommunications Act of 1996 (Act), the FCC's rules and orders, and Florida Statutes, what is the Commission's jurisdiction to specify the rates, terms, and conditions governing compensation for transport and delivery or termination of traffic subject to Section 251 of the Act? (Legal issue)
11. What types of local network architectures are currently employed by ILECs and ALECs, and what factors affect their choice of architectures? (Informational issue)
12. Pursuant to the Act and FCC's rules and orders:
 - (a) Under what condition(s), if any, is an ALEC entitled to be compensated at the ILEC's tandem interconnection rate?
 - (b) Under either a one-prong or two-prong test, what is "similar functionality?"
 - (c) Under either a one-prong or two-prong test, what is "comparable geographic area?"
13. How should a "local calling area" be defined, for purposes of determining the applicability of reciprocal compensation?
14.
 - (a) What are the responsibilities of an originating local carrier to transport its traffic to another local carrier?
 - (b) For each responsibility identified in part (a), what form of compensation, if any, should apply?
15.
 - (a) Under what conditions, if any, may carriers assign telephone numbers to end users physically located outside the rate center in which the telephone is homed?
 - (b) Should the intercarrier compensation mechanism for calls to these telephone numbers be based upon the physical location of the customer, the rate center to which the telephone number is homed, or some other criterion?
16.
 - (a) What is the definition of Internet Protocol (IP) telephony?

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- (b) What carrier-to-carrier compensation mechanism, if any, should apply to IP telephony?
17. Should the Commission establish compensation mechanisms governing the transport and delivery or termination of traffic subject to Section 251 of the Act to be used in the absence of the parties reaching an agreement or negotiating a compensation mechanism? If so, what should be the mechanisms?
18. How should the policies established in this docket be implemented?