

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL
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In re: Expanded Interconnection)
Phase II and Local Transport)
Restructure)

Docket No. 921074-TP
Docket No. 930955-TL
Docket No. 940014-TL
Docket No. 940020-TL
Docket No. 931196-TL
Docket No. 940190-TL

Filed: 04/22/94

INTERMEDIA COMMUNICATIONS OF FLORIDA, INC.'S
MOTION TO ESTABLISH ADDITIONAL ISSUE

Intermedia Communications of Florida, Inc. (Intermedia), pursuant to Rule 25-22.037, Florida Administrative Code, and Order No. PSC-94-0076-PCO-TL, files this motion to establish two additional issues for hearing in these consolidated dockets. For cause, Intermedia shows:

1. On January 21, 1994, the Commission issued Order No. PSC-94-0076-PCO-TL, Order Establishing Procedure and Consolidating Dockets in this case. That order noted that "[t]he scope of this proceeding shall be based upon the issues raised by the parties and Commission staff (staff) up to and during the prehearing conference, unless modified by the Commission."

2. On March 10, 1994, the Commission issued Order No. PSC-94-0277-PCO-TL in which it established 24 preliminary issues for hearing in these cases. Issue No. 6 deals with expanded interconnection for switched access:

6. Does Chapter 364, Florida Statutes, allow the Commission to require expanded interconnection for switched access?

ACK _____
AFA 2
APP _____
CAF _____
EMU _____
CTR _____
EAG _____
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RCH _____
SEC 1
WAS _____
OTH _____

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3. Intermedia proposes that the Commission consider two additional issues closely related to and derived from Issue No. 6:

6a. Does granting expanded interconnection for switched access render high capacity transport service for dedicated and switched services effectively competitive?

6b. If the Commission does determine that high capacity transport service for dedicated and switched services are effectively competitive, what regulatory treatment of this transport service should it prescribe?

4. Issue 6 as it currently stands raises the general question of the kinds of services an AAV may lawfully provide under Chapter 364, Florida Statutes. Indeed, it is Intermedia's understanding that the LECs intend to argue that Chapter 364 forbids AAVs from providing any type of service out of the expanded interconnection other than special access service and a very narrow type of private line service. Intermedia has no quarrel with the LECs advancing that argument; however, the issue is not simply what the AAVs may do currently, but what the Commission may do in introducing competition into monopoly markets. Thus, Issue 6 needs to be expanded to encourage the parties to this proceeding to address fully the steps the Commission may and should take in establishing expanded interconnection for local and other services.

5. No party will be prejudiced by addition of this issue into the hearing. Order No. PSC-94-0076-PCO-TL specifically contemplated addition of new issues for hearing, and there is ample time for parties to prepare prefiled testimony on this subject.

Wherefore, Intermedia requests the Commission to establish the above issue for hearing in these consolidated cases.

Respectfully submitted this 22nd day of April, 1994.

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CERTIFICATE OF SERVICE

Docket No. 921074-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by United States Mail this 22nd day of April, 1994, to the following:

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