

11/30

HOPPING GREEN SAMS & SMITH
PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS

JAMES S. ALVES
BRIAN H. BIBEAU
KATHLEEN BLIZZARD
ELIZABETH C. BOWMAN
RICHARD S. BRIGHTMAN
PETER C. CUNNINGHAM
RALPH A. DEMEO
THOMAS M. DEROSE
WILLIAM H. GREEN
WADE L. HOPPING
FRANK E. MATTHEWS
RICHARD D. MELSON
DAVID L. POWELL
WILLIAM D. PRESTON
CAROLYN S. RAEPPLER
GARY P. SAMS
ROBERT P. SMITH
CHERYL G. STUART

123 SOUTH CALHOUN STREET
POST OFFICE BOX 6526
TALLAHASSEE, FLORIDA 32314

(904) 222-7500
FAX (904) 224-8551
FAX (904) 425-3415

Writer's Direct Dial No.
(904) 425-2313

November 30, 1995

KRISTIN M. CONROY
CONNIE C. DURRENCE
JONATHAN S. FOX
JAMES C. GOODLETT
GARY K. HUNTER, JR.
JONATHAN T. JOHNSON
ROBERT A. MANNING
ANGELA R. MORRISON
GARY V. PERKO
KAREN M. PETERSON
MICHAEL P. PETROVICH
DOUGLAS S. ROBERTS
LISA K. RUSHTON
R. SCOTT RUTH
JULIE R. STEINMEYER
OF COUNSEL
CARLOS ALVAREZ
W. ROBERT FOKES

BY HAND DELIVERY

ORIGINAL
FILE COPY

Ms. Blanca S. Bayó
Director, Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 920260

Dear Ms. Bayó:

Enclosed for filing on behalf of MCI Telecommunications Corporation in the above referenced docket are the original and 15 copies of MCI's Response to Southern Bell's Motion for Modification and MCI's Joinder in FIXCA's Motion for Stay.

By copy of this letter these documents have been provided to the parties on the attached service list.

Very truly yours,

RDM

Richard D. Melson

- ACK
- APP 3
- APP
- SAP
- WAS
- OTH
- CTR
- EAG
- LEG 1
- LIN 5
- OPC
- RCH
- SEC 1
- WAS
- OTH

RDM/cc
Enclosures
cc: Parties of Record

RECEIVED & FILED
EPSC-BUREAU OF RECORDS

MCI Joinder
DOCUMENT NUMBER-DATE
11996 NOV 30 12
FPSC-RECORDS/REPORTING

MCI Response
DOCUMENT NUMBER-DATE
11995 NOV 30 12
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive Review of)
the Revenue Requirements and Rate) Docket No. 920260-TL
Stabilization Plan of Southern)
Bell Telephone and Telegraph) Filed: November 30, 1995
Company.)
_____)

**MCI TELECOMMUNICATIONS CORPORATION'S
RESPONSE TO SOUTHERN BELL'S MOTION FOR MODIFICATION**

MCI Telecommunications Corporation (MCI) hereby files its response in opposition to Southern Bell's Motion for Modification filed on November 15, 1995.¹ That motion asks that the implementation date for the ECS calling approved by Order No. PSC-95-1391-FOF-TL be advanced from January 1, 1996 to December 18, 1995.

MCI urges that the Motion for Modification be denied on the grounds that there is a pending appeal of the ECS order (filed November 28, 1995) and pending motions by FIXCA and MCI to stay the implementation of the ECS order pending appeal. As set forth in those motions, the Commission should preserve the status quo pending the outcome of the appeal. It would be inappropriate for the Commission to advance the implementation date until it has ruled on the motions for stay. Advancing the implementation date

¹ Although Southern Bell's motion was dated and mailed to MCI's Florida counsel on November 15, 1995, it was not actually received until twelve days later, on November 27, 1995, the date on which a response would ordinarily be due under Rule 25-22.037. MCI therefore requests that the Commission accept this response filed three days out of time. Southern Bell is not prejudiced by this response, since it asks for the same relief contained in FIXCA's response filed on November 27, 1995.

would make it impossible for the Commission to preserve the status quo and would in effect deny the motions for stay before they were even considered by the Commission.

WHEREFORE, MCI urges that Southern Bell's Motion for Modification be denied.

RESPECTFULLY SUBMITTED, this 30th day of November, 1995.

HOPPING GREEN SAMS & SMITH, P.A.

By: Richard D. Melson
Richard D. Melson
Post Office Box 6526
123 South Calhoun Street
Tallahassee, FL 32314
904/222-7500

and

MICHAEL J. HENRY
MCI TELECOMMUNICATIONS CORP.
Suite 700
780 Johnson Ferry Road
Atlanta, GA 30346
404/843-6373

Attorneys for
MCI Telecommunications Corporation

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent by U.S. Mail this 30th day of November, 1995.

Robert G. Beatty
Nancy B. White
c/o Marshall Criser, III
Southern Bell Telephone Company
150 S. Monroe Street
Tallahassee, FL 32301

Tracy Hatch
Division of Legal Services
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0862

Charles J. Beck
Office of Public Counsel
Suite 801
111 East Madison Street
Tallahassee, FL 32399-1440

C. Everett Boyd, Jr.
Ervin, Varn, Jacobs, Odom
and Ervin
P.O. Box 1170
Tallahassee, FL 32302

Joseph McGlothlin
Vicki Gordon Kaufman
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas
117 S. Gadsden Street
Tallahassee, FL 32301

Joseph P. Gillan
J.P. Gillan & Associates
P.O. Box 541038
Orlando, FL 32854-1038

Chanthia Bryant-Abney
Sprint
3100 Cumberland Circle
Atlanta, GA 30339

Laura L. Wilson
Florida Cable Television Assoc.
310 South Monroe Street
Tallahassee, FL 32302

Michael W. Tye
AT&T Communications
101 N. Monroe St., Ste. 700
Tallahassee, FL 32301

Monte Belote
Florida Consumer Action
Network
4100 West Kennedy Blvd. #128
Tampa, FL 33609

Dan B. Hendrickson
P.O. Box 1201
Tallahassee, FL 32302

Donald L. Bell
104 East Third Avenue
Tallahassee, FL 32303

Gerald B. Curington
Assistant Attorney General
Department of Legal Affairs
Room 1603, The Capitol
Tallahassee, FL 32399-1050

Benjamin H. Dickens, Jr.
Bloostron, Mordkofsky, Jackson
& Dickens
2120 L Street, N.W.
Washington, D.C. 20037

Douglas S. Metcalf
Communications Consultants, Inc.
P.O. Box 1148
Winter Park, FL 32790-1148

Mr. Jan Masek
The Print Group, Inc.
302 North La Brea Avenue #1000
Los Angeles, CA 90036

Robin Norton
Public Service Commission
Division of Communications
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0862

Rick Wright
Division of Auditing and Financial
Analysis
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0862

Mr. Cecil O. Simpson, Jr.
Mr. Peter Q. Nyce, Jr.
Department of the Army
901 North Stuart Street
Arlington, VA 22203-1837

Angela B. Green
Fla. Pay Telephone Ass'n.
315 South Calhoun Street
Suite 710, Barnett Bank Bldg.
Tallahassee, FL 32302

Floyd R. Self
Messer, Vickers, Caparello,
Lewis, Goldman & Metz, P.A.
P.O. Box 1876
Tallahassee, FL 32302-1876

Mark Richard
Locals 3121, 3122 and 3107
304 Palermo Avenue
Coral Gables, FL 33134

Kenneth A. Hoffman
Messer, Vickers, Caparello
Madsen, Lewis & Metz, PA
Post Office Box 1876
Tallahassee, FL 32302

Stan Greer
Division of Communications
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Michael Fannon
Cellular One
2735 Capital Circle, NE
Tallahassee, FL 32308

Susan K. Weinstock
Utility Issues Team Leader
State Legislation Department
AARP
601 E Street, NW
Washington, DC 20049

Piero D. Me

Attorney