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REPLY TO:
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December 11, 1995

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

via Hand Delivery

Re: Resolution of Petition(s) to Establish
Nondiscriminatory Rates, Terms, and Conditions for
Resale Involving Local Exchange Companies and
Alternative Local Exchange Companies Pursuant to
Section 364.161, Florida Statutes; Docket No.
950984-TP

Dear Ms. Bayo:

Enclosed for filing please find an original and fifteen copies
of Time Warner AxS of Florida, L.P.'s and Digital Media Partners'
Prehearing Statement for the above-referenced docket. You will
also find a copy of this letter and a diskette in Word Perfect 5.1
format enclosed. Please date-stamp the copy of this letter to
indicate that the original was filed and return to me.

If you have any questions regarding this matter, please feel
free to contact me.

Respectfully,

PENNINGTON & HABEN, P.A.

Charles W. Murphy

- ACK
- AFA _____
- APP _____
- CAF _____
- CML *Chax*
- CTR _____
- EAG _____
- LEG CWM/tmz
- Enclosures
- LIN
- OPC _____
- ROH _____
- SEC
- WAS _____
- OTH _____

cc: All Parties of Record (w/ enclosure)

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Resolution of Petition(s) to)
Establish Nondiscriminatory)
Rates, Terms, and Conditions)
for Resale Involving Local)
Exchange Companies and)
Alternative Local Exchange)
Companies Pursuant to)
Section 364.161, Florida Statutes)

Docket No. 950984-TP
Filed: December 11, 1995

**PREHEARING STATEMENT BY TIME WARNER AxS OF FLORIDA, L.P.
AND DIGITAL MEDIA PARTNERS**

COMES NOW, Time Warner AxS of Florida, L.P. and Digital Media Partners (collectively "Time Warner"), and pursuant to Rule 25-22.038, Florida Administrative Code, and the Order Establishing Procedure, respectfully submits its Prehearing Statement in the above-captioned docket to the Florida Public Service Commission ("Commission" or "FPSC").

A. WITNESSES, TESTIMONY AND ISSUES

None.

B. EXHIBITS

None.

C. STATEMENT OF BASIC POSITION

Time Warner has joined and supports a stipulation that would partially resolve the issues in this proceeding. Time Warner believes that for local competition to develop and be sustained, there must be facilities-based alternatives to the local exchange companies. Chapter 364.161, Florida Statutes, requires local exchange companies to unbundle all of their network features, functions, and capabilities, including access to signaling databases, systems and routing processes, and offer them to any

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other telecommunications provider requesting them for resale. However, Time Warner believes that facilities-based providers should not be required to price their retail services at a discount for use by resellers. An aggressive resale policy to promote simple resale or rebranding of local exchange service elements will operate to deter the development of facilities-based competition. However, the price for unbundled elements provided by the LECs must pass an imputation test to insure that new entrants are not caught in a price squeeze.

D-G. ISSUES AND POSITIONS

ISSUE 1: WHAT ELEMENTS SHOULD BE MADE AVAILABLE BY BELLSOUTH TO MCIMETRO AND MFS-FL ON AN UNBUNDLED BASIS (E.G., LINK ELEMENTS, PORT ELEMENTS, LOOP CONCENTRATION, LOOP TRANSPORT)?

TIME WARNER'S POSITION: Time Warner has joined and supports a stipulation that would partially resolve this issue. Time Warner takes no additional position at this time.

ISSUE 2: WHAT ARE THE APPROPRIATE TECHNICAL ARRANGEMENTS FOR THE PROVISION OF SUCH UNBUNDLED ELEMENTS?

TIME WARNER'S POSITION: No position at this time.

ISSUE 3: WHAT ARE THE APPROPRIATE FINANCIAL ARRANGEMENTS FOR EACH SUCH UNBUNDLED ELEMENT?

TIME WARNER'S POSITION: Time Warner has joined and supports a stipulation that would partially resolve this issue. Additionally, Time Warner takes the following position: Although

Chapter 364 requires incumbent local exchange companies, including BellSouth, to unbundle the functions and features of their networks, Time Warner believes that, as a general policy, facilities based providers should not be required to price their retail services at a discount for use by resellers.

Time Warner further recognizes that existing LEC services such as special access provide a contribution toward the preservation of universal service and carrier of last resort obligations, and that until the conclusion of rate and universal service reform, it may not be appropriate to lose this contribution. However, the price for unbundled elements provided by the LECs must pass an imputation test to ensure that new entrants are not caught in a price squeeze.

ISSUE 4: WHAT ARRANGEMENTS, IF ANY, ARE NECESSARY TO ADDRESS OTHER OPERATIONAL ISSUES?

TIME WARNER'S POSITION: No position at this time.

H. STIPULATIONS

Time Warner has joined other parties in the proposed stipulation and motion filed on December 8, 1995.

I. PENDING MOTIONS

Time Warner has joined other parties in the proposed stipulation and motion filed on December 8, 1995.

J. COMPLIANCE WITH ORDER ON PREHEARING PROCEDURE

Time Warner is aware of no requirements with which it cannot
comply.

RESPECTFULLY SUBMITTED this 11th day of December, 1995.



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Digital Media Partners

CERTIFICATE OF SERVICE
DOCKET NO. 950984-TP

I HEREBY CERTIFY that a true and correct copy of the Prehearing Statement by Time Warner AxS of Florida, L.P. and Digital Media Partners has been served by Hand Delivery or Federal Express this 11th day of December, 1995, to the following parties of record:

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