

September 13, 1996

VIA FEDERAL EXPRESS

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

**Re: MFS Communications Company Inc.'s Motion for Leave to Substitute Witness;
Docket No. 960338-TP**

Dear Mrs. Bayo:

Enclosed for filing on behalf of MFS Communications Company, Inc. ("MFS"), is an original and fifteen (15) copies of the MFS' Motion for Leave to Substitute Witness, with exhibits, in the above-referenced docket.

Please date stamp the extra copy of this letter and return it in the enclosed self-addressed envelope. Please date stamp the extra copy of the motion, evidencing receipt of that document with exhibits, and return it in the same enclosed self-addressed envelope.

If there are any questions concerning this matter, please contact me.

Sincerely,



Morton J. Posner

- ACK _____
- AFA _____
- APP _____ Enclosures
- CAF _____
- CMU 5 (w/encl. by Fedex):
- CTR _____
- EAG _____
- LEG 1
- OPR 5
- RCR _____
- SEC 1
- WAS _____ 169540.1
- OTH _____

John P. Fons, Esq.
Jerry Johns, Esq.
Michael Billmeier, Esq.

RECEIVED & FILED

EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

09853 SEP 16 96

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the matter of)
)
MFS COMMUNICATIONS COMPANY,)
INC.)
)
Petition for Arbitration Pursuant to)
47 U.S.C. § 252(b) of Interconnection Rates,)
Terms, and Conditions with)
)
SPRINT UNITED-CENDEL OF FLORIDA, INC.)
)

Docket No. 960838

MOTION FOR LEAVE TO SUBSTITUTE WITNESS

MFS Communications Company, Inc. ("MFS"), by its undersigned attorneys, hereby request leave of the Commission to permit MFS to substitute expert witness Alex J. Harris in place of David N. Porter. Mr. Harris will adopt the testimony of David N. Porter previously filed in the above-captioned arbitration proceeding. In support of this request, MFS states the following:

1. On August 22, 1996, MFS filed written testimony of David N. Porter in this arbitration. Due to a scheduling conflict, Mr. Porter will not be available to submit to cross-examination at the hearing.
2. MFS proposes to substitute Mr. Harris in place of Mr. Porter. Mr. Harris will adopt the entire testimony previously filed on August 22, 1996 as his own testimony, except that the biographical information in the pages attached hereto as Exhibit A should be substituted for the biographical information of Mr. David N. Porter in said testimony. Mr. Harris will be available for

DOCUMENT NUMBER-DATE

09853 SEP 16 96

FPSC-RECORDS/REPORTING

examination at the September 16, 1996 deposition, as well as the arbitration hearing, and is qualified to testify to the same issues as Mr. Porter.

3. MFS is authorized to state that Sprint United-Centel of Florida, Inc. does not oppose this motion.

WHEREFORE, MFS requests that this Commission permit the substitution of Alex J. Harris in the place of David N. Porter.

Respectfully submitted,



Richard M. Rindler
Morton J. Posner
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Attorneys for
MFS COMMUNICATIONS, INC.

Dated: September 13, 1996

EXHIBIT A

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In the matter of)

MFS COMMUNICATIONS COMPANY,)
INC.)

Petition for Arbitration Pursuant to)
47 U.S.C. § 252(b) of Interconnection Rates,)
Terms, and Conditions with)

SPRINT UNITED-CENDEL OF FLORIDA, INC.)

Docket No. 960838

**TESTIMONY OF ALEX J. HARRIS
ON BEHALF OF
MFS COMMUNICATIONS COMPANY, INC.**

Alex J. Harris
Vice President, Regulatory Affairs
MFS COMMUNICATIONS
COMPANY, INC.
33 Whitehall Street
15th Floor
New York, N.Y. 10004
(212) 843-3051

Richard M. Rindler
Morton J. Posner
SWIDLER & BERLIN, Chartered
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7500
Fax (202) 424-7645

Attorneys for
MFS COMMUNICATIONS COMPANY, INC.

Dated: September 13, 1996

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In the matter of)

MFS COMMUNICATIONS COMPANY,)
INC.)

Petition for Arbitration Pursuant to)
47 U.S.C. § 252(b) of Interconnection Rates,)
Terms, and Conditions with)

SPRINT UNITED-CENTEL OF FLORIDA, INC.)

Docket No. 960838

**DIRECT TESTIMONY OF ALEX J. HARRIS
ON BEHALF OF
MFS COMMUNICATIONS COMPANY, INC.**

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 A. Alex J. Harris, MFS Communications Company, Inc. ("MFS"), 33 Whitehall Street, 15th
3 Floor, New York, New York, 10004. ("MFS") My office telephone number is 212-843-
4 3051.

5 **Q. BY WHOM ARE YOU EMPLOYED AND WHAT ARE YOUR**
6 **RESPONSIBILITIES?**

7 A. I am the Vice President of Regulatory Affairs for MFS. I am responsible for directing the
8 state regulatory activities for MFS. In this capacity, I have been responsible for
9 overseeing interconnection negotiations with incumbent LECs across the country

1 pursuant to the Telecommunications Act of 1996. At various points during my tenure
2 with MFS, I have also had supervisory responsibilities relating to industry affairs, line
3 cost management, and pricing.

4 **Q. PLEASE SUMMARIZE YOUR EDUCATIONAL BACKGROUND AND**
5 **PROFESSIONAL EXPERIENCE.**

6 **A.** Prior to joining MFS in 1993, I was employed by Teleport Communications Group in
7 that company's regulatory affairs department. From 1990 to 1991, I served as Executive
8 Assistant to then-Commissioner and former Chairman Ellen C. Craig of the Illinois
9 Commerce Commission, advising her on telecommunications and transportation issues.
10 From 1986 to 1989, I served as an Analyst in the Illinois Commerce Commission's Policy
11 Analysis and Research Division's Telecommunications Program. I was an intern with the
12 Commission staff from 1984 to 1986. I received Bachelor of Arts degrees in Philosophy
13 and Political Science from the University of Illinois at Urbana-Champaign in 1984. At
14 present, I am a student in the Executive MBA Program at New York University's Stern
15 School of Business.

CERTIFICATE OF SERVICE

I, Morton J. Posner, hereby certify that on this 13th day of September, 1996, a copy of the foregoing **MFS's Motion for Leave to Substitute Witness, Docket No. 960838-TP**, was served, via overnight delivery, on the following:

John P. Fons, Esq.
McFarlane, Ausley, Ferguson & McMullen
227 South Calhoun Street
Tallahassee, FL 32302

Jerry Johns, Esq.
Sprint
555 Lake Border Drive
Apopka, FL 32703

Michael Billmeier
Staff Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



Morton J. Posner, Esq.