

FLORIDA PUBLIC SERVICE COMMISSION

SPECIAL COMMISSION CONFERENCE AGENDA

VOTE SHEET

DATE: November 1, 1996

RE: DOCKET NO. 960838-TP - Petition by Metropolitan Fiber Systems of Florida, Inc. for arbitration of certain terms and conditions of a proposed agreement with Central Telephone Company of Florida and United Telephone Company of Florida concerning interconnection and resale under the Telecommunications Act of 1996.

Issue 2: What is the appropriate reciprocal compensation rate and arrangement for local call termination between MFS and Sprint United/Centel?
Recommendation: The parties have agreed to provide local interconnection on a reciprocal basis using the proxy rates established in the FCC's order. The only unresolved issue is whether MFS can charge Sprint a local interconnection rate that includes an element for transport. Based on Section 251(d)(2)(A)(i) of the Act, MFS should not be allowed to charge Sprint for transport. This is also consistent with the FCC's order.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Susan Clark
J. Terry Dear
[Signature]
[Signature]
[Signature]

J. Terry Dear

REMARKS/DISSENTING COMMENTS:

*Commissioner Deason
dissented on issue
5.*

PSC/RAR33(5/90)

DOCUMENT NUMBER-DATE

11699 NOV-1 96

FPSC-RECORDS/REPORTING

Issue 3: Is it appropriate for Sprint to offer the following unbundled loops and if so, at what rate:

- a. 2-wire analog voice grade loop;
- b. 4-wire analog voice grade loop; and
- c. 2-wire ISDN digital grade loop.

Recommendation: Yes. Interim rates for each type of loop should be \$13.68, as agreed to by the parties. Based on the Act, this interim rate should not be geographically deaveraged. Further, Sprint should provide the cross-connection element at the following interim rates:

- DS-0 Cross-Connect - \$ 0.68 per month
- DS-1 Cross-Connect - \$ 3.18 per month
- DS-3 Cross-Connect - \$16.75 per month

The interim cross-connection rates should be subject to a true-up when Sprint's TELRIC cost studies are filed and evaluated by the Commission.

If the stay of the FCC order is lifted, the \$13.68 rate should be deaveraged, in the interim, into the same three zones as Sprint's special and switched access density zones. However, the interim loop rates should be the same for each zone. The interim cross-connection rates should be set at the above rates and subject to the true-up.

APPROVED

Issue 5: What are the appropriate rates, terms, and conditions, if any, for billing, collection, and rating of information services traffic between MFS and Sprint?

Recommendation: MFS's request for information to bill and collect its customers should be defined as a network element, and the LECs should provide it. MFS's proposal should be approved with the exception that no telecommunications carrier should be allowed to deduct a charge for billing from the amounts due an Information Service Provider (ISP), unless that carrier has a signed agreement with that ISP.

All local carriers who have entered into arrangements with ISPs should rate calls to ISPs when requested to do so by other local carriers. The Commission's policy goal should be to make the rating and billing arrangements for information services traffic transparent to the end user. Therefore, local carriers should not block calls to ISPs simply because there is no contract with the ISP.

MODIFIED *Approved as modified.*

Both Sprint and MFS

and the ISP have a signed agreement specifying the appropriate charges

*There is nothing here to prevent Sprint from seeking recovery of cost detail for MFS.
Commissioner Deason dissented*

Issue 14: Should the agreement be approved pursuant to Section 252(e) of the Act?

Recommendation: Yes. The Commission's arbitration of the unresolved issues in this proceeding has been conducted pursuant to the directives and criteria of Sections 251 and 252 of the Telecommunications Act of 1996. Pursuant to Section 252(e), the parties should submit a written agreement memorializing and implementing the Commission's decision within 30 days of issuance of the Commission's arbitration order. Within 30 days of submission of the agreement, staff should review the agreement and, if it comports with the Commission's arbitration decisions, the agreement shall be deemed approved without further Commission action. If the agreement is not consistent with the Commission's arbitration decision, staff should bring the agreement to the Commission for review. If the parties cannot agree to the language of the agreement, they shall each submit their version of the agreement, and the Commission will decide on the language that best incorporates the substance of the Commission's arbitration decision.

APPROVED

Issue 15: Should this docket be closed?

Recommendation: No. The parties should file an agreement with this Commission that incorporates the decisions made in this arbitration process in accordance with Issue No. 14.

APPROVED