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Tallahassee, Florida 32310

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FPSC - Records/Reporting

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July 18, 1997

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

Re: Docket No. 970281-TL

Dear Ms. Bayo:

Enclosed for filing is the original and fifteen (15) copies of Sprint-Florida, Inc.'s Prehearing Statement.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

ACK _____ Sincerely,

AFA 2

APP _____ 

CAE _____ Charles J. Rehwinkel

CMU _____ CJR/th

CTR _____

EAG _____ Enclosures

LEG 2

LIN 5

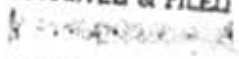
OPC _____

RCH _____

SEC 1

WAS _____

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Establishment of)
intrastate implementation)
requirements governing federally)
mandated deregulation of local)
exchange company pay phones)

Docket No.970281-TL

Filed: July 18, 1997

PREHEARING STATEMENT OF SPRINT-FLORIDA

Pursuant to Order No. PSC-97-0721-PCO-TL, issued June 19, 1997 and Rule 25-22.038(3), F.A.C., Sprint-Florida, Incorporated ("Sprint-Florida") files this Prehearing statement.

A. Witnesses.

At this time the only witness Sprint-Florida intends to call, if required, is F. Ben Poag.

B. Exhibits.

At this time Sprint-Florida does not anticipate using any exhibits in this proceeding.

C. Basic Position.

Sprint-Florida's basic position is that the company has made more than the necessary reductions to switched access charges to comply with the provisions of Section 276 of the Telecommunications Act of 1996 and the FCC Orders implementing it. Sprint-Florida's tariffs implementing the reductions are in effect, and by operation of law, the Commission has taken all actions necessary to discharge it's duties imposed by

Federal mandates. Furthermore, Sprint-Florida should not be a party to this docket pursuant to Section 120.80(13)(b), Florida Statutes. The scope of this hearing being held pursuant to the protest of MCI does not include Sprint-Florida. The Commissioners have taken no action to set this matter for hearing beyond issuing a Notice of Proposed Agency Action that was the subject of a limited request for hearing/protest that did not include Sprint-Florida within the request nor did it raise a disputed issue of material fact as to Sprint-Florida's actions in this matter. Likewise no party has raised any issue in dispute with Sprint-Florida. No rebuttal testimony was filed. The record of this proceeding and the scope of the pre-filed testimony does not present a basis for the Commission to hold a hearing with respect to Sprint-Florida. Any hearing must be based on the scope of the protest as allowed by the Administrative Procedure Act. Under the facts of this case, the commission is without jurisdiction to adjudicate Sprint-Florida's rights in this case.

D. Questions of Fact at Issue.

At this time there are no questions of fact as to Sprint-Florida. No party has raised such.

E. Questions of Law at Issue.

See legal objections contained in basic position.

F. Questions of Policy at Issue.

At this time there are no questions of policy as to Sprint-Florida. No party has raised any such issue.

G. Issues established by Order PSC-97-00721-PCO-TL.

1. What is the amount of intrastate payphone subsidy, if any, that needs to be eliminated by each local exchange company pursuant to Section 276(B)(1)(b) of the Telecommunications Act of 1996?

Position: Sprint-Florida does not need to make any reductions to

eliminate a subsidy. Any subsidy that may have existed has been eliminated by the \$1.5 million switched access reduction made by Sprint-Florida, effective April 15, 1997. (Poag)

2. If an intrastate payphone subsidy is identified in Issue 1, do the FCC's payphone Reclassification Orders require the Florida Public Service Commission to specify which rate element(s) should be reduced to eliminate such subsidy?

Position: This issue is inapplicable to Sprint. (Poag)

3. If an intrastate payphone subsidy is identified in Issue 1, what is the appropriate rate element(s) to be reduced to eliminate such subsidy?

Position: This issue is inapplicable to Sprint. (Poag)

4. If necessary, by what date should revised intrastate tariffs be filed that eliminate any identified intrastate payphone subsidy be filed?

Position: This issue is inapplicable to Sprint. (Poag)

5. Is April 15, 1997 the appropriate effective date for revised tariffs that eliminate any identified intrastate tariff?

Position: This issue is inapplicable to Sprint. (Poag)

6. Should these dockets be closed?

Position: Yes. (Poag)

H. Stipulated Issues.

As a matter of law pursuant to Section 120.80(13)(b), Fla. Stat., all issues are stipulated except those raised by MCI with respect to BellSouth and GTEFL. Otherwise, Sprint-Florida is not aware of stipulations entered into by any party.

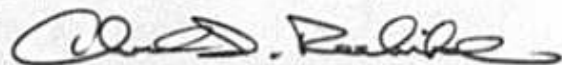
I. Pending Motions.

Sprint-Florida intends to ask for the Prehearing Officer to reconsider her ruling in Order No. PSC-97-0860-PCO-TL, issued July 16, 1997.

J. Compliance Matters.

There are no matters that Sprint-Florida is aware of that cannot be complied with.

Respectfully Submitted,



Charles J. Rehwinkel
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Tallahassee, Florida 32301
(850) 847-0244

**CERTIFICATE OF SERVICE
DOCKET NO. 970281-TL**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S. Mail this 18th day of July, 1997 to the following:

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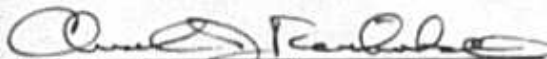
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