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August 5, 1997

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Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center
Room 110
Tallahassee, Florida 32399-0850

HAND DELIVERY

Re: Docket No. 960786-TL

Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced docket on behalf of Teleport Communications Group, Inc. ("TCG") are the following documents:

1. Original and fifteen copies of TCG's Prehearing Statement; and
2. A disk in Word Perfect 6.0 containing a copy of the document.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,

William B. Willingham
William B. Willingham

ACK
AFA _____
APP _____
CAF _____
CMU *Beer*
CTR _____
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LIN *5*
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WAS _____
OTH _____

cc: All Parties of Record

Trib. 3

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[Signature]
FEDERAL BUREAU OF INVESTIGATION

DOCUMENT NUMBER-DATE
07926 AUG-55
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Consideration of BellSouth)
Telecommunications, Inc.'s entry)
into interLATA services pursuant)
to Section 271 of the Federal)
Telecommunications Act of 1996.)
_____)

Docket No. 960786-TL

Filed: August 5, 1997

**PREHEARING STATEMENT OF
TELEPORT COMMUNICATIONS GROUP, INC.**

Teleport Communications Group, Inc. ("TCG"), pursuant to Order Nos. PSC-96-0945-PCO-TL (Initial Order Establishing Procedure), PSC-97-0703-PCO-TL (Second Order Establishing Procedure) and PSC-97-0792-PCO-TL (Order Modifying Procedural Schedule and Issues List) and Rule 25-22.038(2), Florida Administrative Code, respectfully submits the following Prehearing Statement in the above-captioned docket.

A. Witnesses

TCG will present the rebuttal testimony of the following witnesses:

<u>Witness</u>	<u>Subject Matter</u>	<u>Issue Nos.</u>
1. Frank Hoffmann, Jr.	BellSouth does not provide interconnection to its competitors that is at least equal to that provided by BellSouth to itself, its subsidiaries, its affiliates or any other party, and BellSouth does not satisfy the first Checklist item.	2
2. Paul Kouroupas	The performance measures proposed by BellSouth are not adequate to demonstrate compliance	2,3a

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with the Checklist items of
Section 271 of the Act.

B. Exhibits

TCG intends to present the following exhibit included in the
rebuttal testimony of Mr. Kouroupas:

<u>Exhibit No.</u>	<u>Witness</u>	<u>Description</u>
PK-1	Paul Kouroupas	List of regulatory commissions that Mr. Kouroupas has testified before.

TCG reserves the right to utilize additional exhibits for
purposes of cross-examination.

C. Basic Position

BellSouth has failed to demonstrate that it is in compliance
with the Competitive Checklist set forth in Section 271(c)(2)(B) of
the Act.

D. Issues and Positions

1.A. Has BellSouth met the requirements of section
271(c)(1)(A) of the Telecommunications Act of 1996?

TCG: No.

(a) Has BellSouth entered into one or
more binding agreements approved
under Section 252 with unaffiliated
competing providers of telephone
exchange service?

TCG: Yes.

(b) Is BellSouth providing access and
interconnection to its network
facilities for the network
facilities of such competing
providers?

**TCG: No. BellSouth does not provide nondiscriminatory access
and interconnection for competing providers.**

(c) Are such competing providers providing telephone exchange service to residential and business customers either exclusively over their own telephone exchange service facilities or predominantly over their own telephone exchange service facilities?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c)(1)(B) of the Act.

1.B. Has BellSouth met the requirements of section 271(c)(1)(B) of the Telecommunications Act of 1996?

TCG: No. Section 271(c)(1)(B) is applicable only if no provider has requested access or interconnection within the designated time period. Providers have requested such access and interconnection. Moreover, BellSouth has entered into agreements to provide such access and interconnection, and BellSouth is not eligible to seek relief under Section 271(c)(1)(B).

(a) Has an unaffiliated competing provider of telephone exchange service requested access and interconnection with BellSouth?

TCG: Yes. TCG and other carriers have requested access and interconnection from BellSouth.

(b) Has a statement of terms and conditions that BellSouth generally offers to provide access and interconnection been approved or permitted to take effect under Section 252(f)?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c)(1)(B) of the Act.

1.C. Can BellSouth meet the requirements of section 271(c)(1) through a combination of track A (Section 271(c)(1)(A)) and track B (Section 271(c)(1)(B))? If so, has BellSouth met all of the requirements of those sections?

TCG: No. Section 271 does not permit BellSouth to meet the requirements of Section 271(c)(1) through a combination of Track A (Section 271(c)(1)(A)) and Track B (Section 271(c)(1)(B)).

2. Has BellSouth provided interconnection in accordance with the requirements of sections 251(c)(2) and 252(d)(1) of the Telecommunications Act of 1996, pursuant to 271(c)(2)(B)(i) and applicable rules promulgated by the FCC?

TCG: No. BellSouth is not providing interconnection in accordance with Section 271(c)(1)(B)(i) because it has not demonstrated that it is providing interconnection services to its competitors that is at least equal to that provided by BellSouth to itself, its own customers, and its affiliates.

3. Has BellSouth provided nondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(1) of the Telecommunications Act of 1996, pursuant to 271(c)(2)(B)(ii) and applicable rules promulgated by the FCC?

TCG: No. BellSouth has not demonstrated that it is providing nondiscriminatory access to network elements in accordance with the requirements of Sections 253(c)(3) and 252(d)(1) of the Act.

- (a) Has BellSouth developed performance standards and measurements? If so, are they being met?

TCG: No. BellSouth has not developed performance standards and measurements that would allow it to demonstrate its compliance with any of the Section 271 Competitive Checklist requirements.

4. Has BellSouth provided nondiscriminatory access to the poles, ducts, conduits, and rights-of-way owned or controlled by BellSouth at just and reasonable rates in accordance with the requirements of section 224 of the Communications Act of 1934 as amended by the Telecommunications Act of 1996, pursuant to 271(c)(2)(B)(iii) and applicable rules promulgated by the FCC?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section

271(c) (1) (B) of the Act.

5. Has BellSouth unbundled the local loop transmission between the central office and the customer's premises from local switching or other services, pursuant to section 271(c) (2) (B) (iv) and applicable rules promulgated by the FCC?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

6. Has BellSouth unbundled the local transport on the trunk side of a wireline local exchange carrier switch from switching or other services, pursuant to section 271(c) (2) (B) (v) and applicable rules promulgated by the FCC?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

7. Has BellSouth provided unbundled local switching from transport, local loop transmission, or other services, pursuant to section 271(c) (2) (B) (vi) and applicable rules promulgated by the FCC?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

8. Has BellSouth provided nondiscriminatory access to the following, pursuant to section 271(c) (2) (B) (vii) and applicable rules promulgated by the FCC:

(a) 911 and E911 services;

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

(b) directory assistance services to allow the other telecommunications carrier's customers to obtain telephone numbers; and,

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

(c) operator call completion services?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

9. Has BellSouth provided white pages directory listings for customers of other telecommunications carrier's telephone exchange service, pursuant to section 271(c) (2) (B) (viii) and applicable rules promulgated by the FCC?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

10. Has BellSouth provided nondiscriminatory access to telephone numbers for assignment to the other telecommunications carrier's telephone exchange service customers, pursuant to section 271(c) (2) (B) (ix) and applicable rules promulgated by the FCC?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

11. Has BellSouth provided nondiscriminatory access to databases and associated signaling necessary for call routing and completion, pursuant to section 271(c) (2) (B) (x) and applicable rules promulgated by the FCC?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

12. Has BellSouth provided number portability, pursuant to section 271(c) (2) (B) (xi) and applicable rules promulgated

by the FCC?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

13. Has BellSouth provided nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of section 251(b) (3) of the Telecommunications Act of 1996, pursuant to section 271(c) (2) (B) (xii) and applicable rules promulgated by the FCC?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

14. Has BellSouth provided reciprocal compensation arrangements in accordance with the requirements of section 252(d) (2) of the Telecommunications Act of 1996, pursuant to section 271(c) (2) (B) (xiii) and applicable rules promulgated by the FCC?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

15. Has BellSouth provided telecommunications services available for resale in accordance with the requirements of sections 251(c) (4) and 252(d) (3) of the Telecommunications Act of 1996, pursuant to section 271(c) (2) (B) (xiv) and applicable rules promulgated by the FCC?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

(a) Has BellSouth developed performance standards and measurements? If so, are they being met?

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to

affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

16. By what date does BellSouth propose to provide interLATA toll dialing parity throughout Florida pursuant to section 271(e) (2) (A) of the Telecommunications Act of 1996.

TCG: TCG does not have sufficient information to respond to this issue. However, BellSouth carries the burden to affirmatively demonstrate that it has satisfied each requirement of the Competitive Checklist in Section 271(c) (1) (B) of the Act.

17. If the answer to issues 2-15 is "yes", have those requirements been met in a single agreement or through a combination of agreements?

TCG: The answer to issues 2, 3, 3.A and possibly other issues is "no".

18. Should this docket be closed?

TCG: TCG takes no position at this time.

E. STIPULATIONS

TCG is not a party to any stipulations at this time.

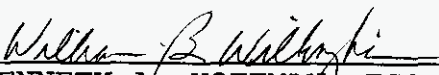
F. PENDING MOTIONS

TCG has no pending motions at this time.

G. OTHER REQUIREMENTS

TCG believes that this Prehearing Statement is fully responsive to the requirements of the above-stated procedural orders and Rule 25-22.038(2), Florida Administrative Code.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the Prehearing Statement of Teleport Communications Group, Inc. was furnished by U. S. Mail to the following this 5th day of August, 1997:

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