

RUTLEDGE, ECENIA, UNDERWOOD, PURNELL & HOFFMAN

ORIGINAL

PROFESSIONAL ASSOCIATION  
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA  
KENNETH A. HOFFMAN  
THOMAS W. KONRAD  
MICHAEL G. MAIDA  
J. STEPHEN MENTON  
R. DAVID PRESCOTT  
HAROLD F. X. PURNELL  
GARY R. RUTLEDGE  
R. MICHAEL UNDERWOOD  
WILLIAM B. WILLINGHAM

POST OFFICE BOX 551, 32302-0551  
215 SOUTH MONROE STREET, SUITE 420  
TALLAHASSEE, FLORIDA 32301-1841

GOVERNMENTAL CONSULTANTS  
PATRICK B. MALOY  
AMY J. YOUNG

TELEPHONE (850) 681-6788  
TELECOPIER (850) 681-6515

October 8, 1997

**HAND DELIVERY**

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

Re: Docket No. **971058-TL**

Dear Ms. Bayo:

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

1. Original and fifteen copies of TCG's Amended Prehearing Statement, and
2. A disk in Word Perfect 6.0 containing a copy of the prehearing statement.

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

APP \_\_\_\_\_ Thank you for your assistance with this filing.

CAF \_\_\_\_\_

CMU \_\_\_\_\_

CTR \_\_\_\_\_

EAG \_\_\_\_\_

LEG 2 \_\_\_\_\_

LIT 5 \_\_\_\_\_

OPC KAH/rl \_\_\_\_\_

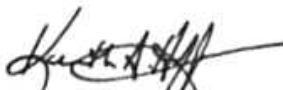
ROH \_\_\_\_\_


SEC 1 \_\_\_\_\_

WAS \_\_\_\_\_

OTH \_\_\_\_\_

Sincerely,

  
Kenneth A. Hoffman

RECEIVED & FILED  
  
EPSC BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
**10352 OCT-85**  
EPSC-RECORDS/REPORTING

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Request for review of )  
proposed numbering plan relief )  
for 305 Area. )  
\_\_\_\_\_ )

Docket No. 971058-TL

Filed: October 8, 1997

**TELEPORT COMMUNICATIONS GROUP INC.'S  
AMENDED PREHEARING STATEMENT**

Pursuant to Rule 25-22.038(3), Florida Administrative Code, and Order No. PSC-97-1002-PCO-TL issued August 21, 1997 ("Order Establishing Procedure"), Teleport Communications Group Inc./TCG South Florida ("TCG"), by and through its undersigned counsel, hereby submits its Amended Prehearing Statement to the Florida Public Service Commission ("Commission") in the above-captioned docket.

**A. WITNESSES**

TCG will not sponsor any witnesses in this proceeding.

**B. EXHIBITS**

At this time TCG does not intend to sponsor any exhibits at the hearing. However, TCG reserves the right to identify exhibits at the final hearing for purposes of cross-examination and redirect examination.

**C. BASIC POSITION**

TCG's interest in this proceeding stems from its status as a facilities-based certificated Alternative Local Exchange Carrier ("ALEC") that presently provides service in the 305 area code on a competitive basis with BellSouth Telecommunications, Inc. ("BST") and others. TCG supports the implementation of a geographic split to address the pending code exhaust

DOCUMENT NUMBER-DATE

10352 OCT-85

FPSC-RECORDS/REPORTING

in the 305 Numbering Plan Area ("NPA"). Geographic splits minimize the negative impacts upon end-users that are inherent to any type of code relief. The geographic split also is a competitively neutral solution to the pending code exhaust in the 305 NPA.

If the Commission determines that an overlay is the relief option that would best serve the end-users in the 305 NPA, the relief plan must minimize the discriminatory and anti-competitive aspects that are inherent to an overlay. The overlay plan proposed by BST would place competing wire-based local exchange service providers at a significant competitive disadvantage. However, the anti-competitive and discriminatory aspects of BST's proposed overlay can be minimized by imposing the following conditions on the plan:

1. All remaining NXXs in the 305 area code shall be allocated pursuant to a Commission-approved plan, consistent with FCC guidelines, giving priority to facilities-based carriers requesting codes in rate centers where the carrier currently does not have a code; and
2. The Commission must initiate a proceeding to determine whether a number pooling mechanism can be implemented in the Local Number Portability area that includes Miami.

#### **D - F. ISSUES**

**ISSUE 1: Should the Commission approve the overlay plan for 305 area code relief, and if not, what relief plan should the Commission approve?**

**TCG:** The Commission should implement a geographic split or, alternatively, the Commission should implement an overlay plan with the following conditions:

1. All remaining NXXs in the 305 area code shall be allocated pursuant to a Commission-approved plan, consistent with FCC guidelines, giving priority to facilities-based carriers requesting codes in rate centers where the carrier currently does not have a code; and

2. The Commission must initiate a proceeding to determine whether a number pooling mechanism can be implemented in the Local Number Portability area that includes Miami.

**G. STIPULATED ISSUES**

TCG is not aware of any issues that have been stipulated.

**H. PENDING MOTIONS**

TCG's Motion to amend its Prehearing Statement is pending.

**I. OTHER REQUIREMENTS**

TCG is not aware of any requirement with which it cannot comply.

Respectfully submitted,



KENNETH A. HOFFMAN, ESQUIRE  
WILLIAM B. WILLINGHAM  
RUTLEDGE, ECENIA, UNDERWOOD, PURNELL  
& HOFFMAN, P.A.

P. O. Box 551  
Tallahassee, FL 32302-0551  
(850) 681-6788 (Telephone)  
(850) 681-6515 (Fax)

and

MICHAEL MCRAE, ESQ.  
TELEPORT COMMUNICATIONS GROUP INC.  
2 Lafayette Center, Suite 400  
1133 Twenty First Street, NW  
Washington, DC 20036  
(202) 739-0032 (Telephone)  
(202) 739-0044 (Fax)

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of TCG's Amended Prehearing Statement was furnished by hand delivery and U. S. Mail to the following on this 8th day of October, 1997:

Nancy White, Esq.  
c/o Nancy Sims  
BellSouth Telecommunications  
150 South Monroe Street  
Suite 400  
Tallahassee, FL 32301  
(via hand delivery)

Mark Herron, Esq.  
E. Gary Early, Esq.  
Akerman, Senterfitt & Eidson, P.A.  
216 South Monroe Street  
Suite 200  
Tallahassee, Florida 32301  
(via hand delivery)

Richard D. Melson, Esq.  
Hopping Green Sams & Smith  
123 South Calhoun Street  
Tallahassee, Florida 32314  
(via hand delivery)

Thomas K. Bond, Esq.  
780 Johnson Ferry Road  
#700  
Atlanta, GA 30342  
(via U.S. Mail)

Mark K. Logan, Esq.  
Bryant, Miller and Olive  
201 South Monroe Street  
Tallahassee, FL 32301  
(via hand delivery)

John Bowman, Esq.  
Martha Carter Brown, Esq.  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Room 370  
Gerald L. Gunter Building  
Tallahassee, FL 32399-0850  
(via hand delivery)

Marsha Rule, Esq.  
Tracy Hatch, Esq.  
AT&T Communications  
101 N. Monroe Street  
Suite 700  
Tallahassee, FL 32301  
(via hand delivery)

By:   
WILLIAM B. WILLINGHAM, ESQ.