



1 **APPEARANCES:**

2 **NANCY WHITE**, c/o Nancy Sims, 150 South  
3 Monroe Street, Suite 400, Tallahassee, Florida 32301,  
4 appearing on behalf of **BellSouth Telecommunications,**  
5 **Inc.**

6 **MARK K. LOGAN**, Bryant, Miller & Olive, 201  
7 South Monroe Street, Suite 500, Tallahassee, Florida  
8 32301, and **TRACY HATCH**, 101 North Monroe Street, Suite  
9 700, Tallahassee, Florida 32301, appearing on behalf  
10 of AT&T Communications of the Southern States.

11 **E. GARY EARLY**, Akerman, Centerfitt & Eidson,  
12 P.A., Post Office Box 10555, Tallahassee, Florida  
13 32302-2555, appearing on behalf of **BellSouth Mobility,**  
14 **Inc.**

15 **RICHARD D. MELSON**, Hopping Green Sams &  
16 Smith, Post Office Box 6526, Tallahassee, Florida  
17 32314, and **THOMAS K. BOND**, 780 Johnson Ferry Road,  
18 Suite 700, Atlanta, Georgia 30342, appearing on behalf  
19 of **MCI Telecommunications Corporation.**

20 **KENNETH A. HOFFMAN** and **WILLIAM B.**  
21 **WILLINGHAM**, Rutledge, Ecenia, Underwood, Purnell &  
22 Hoffman, P.A., Post Office Box 551, Tallahassee,  
23 Florida 32302, appearing on behalf of **Teleport**  
24 **Communications Group, Inc.**

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1 **APPEARANCES CONTINUED:**

2                   **MARTHA CARTER BROWN** and **JOHN BOWMAN**, Florida  
3 Public Service Commission, Division of Legal Services,  
4 2540 Shumard Oak Boulevard, Tallahassee, Florida  
5 32399-0870, appearing on behalf of the Commission  
6 **Staff.**

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1           **MR. BOND:** Tom Bond and Rick Melson on  
2 behalf of MCI.

3           **MR. LOGAN:** Mark Logan, Bryant, Miller &  
4 Olive, on behalf of AT&T Communications of the  
5 Southern States; and I'd also like to enter an  
6 appearance for Marsha Rule of AT&T.

7           **COMMISSIONER GARCIA:** Is Marsha coming? Is  
8 she coming?

9           **MR. LOGAN:** She won't be here today, but  
10 she'll be at the hearing.

11           **MS. BROWN:** Martha Carter Brown and John  
12 Bowman on behalf of the Florida Public Service  
13 Commission Staff.

14           **COMMISSIONER GARCIA:** Counsel, are there any  
15 preliminary matters?

16           **MS. BROWN:** Well, Commissioner, there aren't  
17 really any preliminary matters that we have to decide  
18 here, but I did want to bring you up to date on a few  
19 things.

20           **COMMISSIONER GARCIA:** Okay.

21           **MS. BROWN:** Initially, Teleport filed  
22 testimony and proposed several issues in this case.  
23 They have since withdrawn that testimony and withdrawn  
24 their proposed issues. We do have two issues in the  
25 case. In the order establishing procedure there was

1 one, we have added one that is reflected in the  
2 Prehearing Order and we can get to that.

3 I think that's all I really wanted to bring  
4 you up to date on. I have no other preliminary  
5 matters.

6 **MR. WILLINGHAM:** I do have two that I would  
7 like to bring up. There's two orders that we would  
8 like to have the Commission take official recognition  
9 of.

10 **COMMISSIONER GARCIA:** Okay.

11 **MR. WILLINGHAM:** The first one is its own  
12 previous order, PSC-95-1048-FOF-TL. That was the  
13 previous 305 --

14 **COMMISSIONER GARCIA:** Run that by me again.

15 **MR. WILLINGHAM:** It's PSC-95-1048-FOF-TL.  
16 It's an August 23, 1995 Order for the previous 305  
17 split.

18 **COMMISSIONER GARCIA:** Okay.

19 **MR. WILLINGHAM:** And the second is an order  
20 from the Public Utilities Commission for the state of  
21 Colorado. It's decision No. C97-761 and I've provided  
22 a copy of that order to all the parties.

23 **COMMISSIONER GARCIA:** Okay.

24 **MS. BROWN:** Commissioner, you could rule on  
25 that if you want, or we can wait until the beginning

1 of the hearing. Staff has no objections. They've had  
2 a chance to review the --

3 **COMMISSIONER GARCIA:** Then we'll take  
4 official recognition of those two orders.

5 **MS. BROWN:** Commissioner, you might want to  
6 ask the parties if any of the parties object.

7 **MR. EARLY:** No objection.

8 **MS. WHITE:** No objection.

9 **MR. BOND:** No objection.

10 **COMMISSIONER GARCIA:** All right. That being  
11 done, we'll go through the Prehearing Order, and we'll  
12 go section by section. If anybody has any problems  
13 we'll go through it.

14 All right. Corrections or changes to the  
15 case background?

16 **MR. WILLINGHAM:** If we could back up just a  
17 second.

18 **COMMISSIONER GARCIA:** Sure.

19 **MR. WILLINGHAM:** I would ask that we add  
20 Michael Mcrae's name, the representation for Teleport.  
21 He's in-house counsel for Teleport, and his name has  
22 been on everything that's been filed so far.

23 **MS. BROWN:** We will do that. We were  
24 looking for his name and address on the petition to  
25 intervene and whether he was -- where we could find

1 it. We'll look on other filings for his address.

2 MR. WILLINGHAM: It's definitely on the  
3 amended prehearing statement we just filed.

4 MS. BROWN: Or you can give it to me.

5 MR. BOND: Okay, thanks.

6 COMMISSIONER GARCIA: Great. Very good.  
7 Nothing on the case background? Go through order of  
8 witnesses. Basic positions, do we need to go one by  
9 one or is everyone pretty much satisfied with what we  
10 have.

11 MR. WILLINGHAM: TCG's will change in  
12 accordance with the amended prehearing statement that  
13 hopefully has been filed by now, but a copy has been  
14 provided to all the parties.

15 COMMISSIONER GARCIA: Okay.

16 MS. WHITE: Issue No. 2 was new to  
17 BellSouth. BellSouth will formulate a response and  
18 give it to the Staff tomorrow.

19 COMMISSIONER GARCIA: Okay.

20 MR. WILLINGHAM: And also on Issue No. 2,  
21 TCG had withdrawn that issue and this is not our  
22 response at this time. But I'm not sure if we're -- I  
23 guess we can provide one tomorrow.

24 MS. WHITE: Well, if -- I'm confused.

25 MS. BROWN: I'm confused to.

1           **MS. WHITE:** If the issue is withdrawn, does  
2 anybody need to file?

3           **MS. BROWN:** Well, let me explain. The issue  
4 was initially included in Teleport's list of about 13  
5 issues, and it was worded in a particular way. When  
6 we did the first draft of the Prehearing Order, we  
7 included Staff's positions on whether these issues  
8 should be included at all. And in that response we  
9 said Staff had no problem with including this issue  
10 because it is basically the timing issue that's been  
11 included in a lot of previous or in -- I think, in  
12 both of the previous area code hearings.

13           If it was reworded and this is the  
14 rewording -- yesterday when we had our informal issue  
15 identification, we addressed this, my understanding  
16 from the parties that were present at that meeting was  
17 they had no problems with this issue. I also don't  
18 mind waiting for responses tomorrow, and we can put  
19 them in the Prehearing Order. I also asked at the  
20 meeting that we had at 1:30 today whether anyone had  
21 any problems with this issue.

22           Mr. Willingham was a little late for that  
23 meeting, maybe he missed that part of the discussion.

24           **MR. BOND:** Mr. Commissioner, MCI has no  
25 problem with this issue, and we can either provide our



1 position now or after -- as soon as the prehearing is  
2 over.

3           **COMMISSIONER GARCIA:** Well, if I'm looking  
4 at mine correctly, I don't have positions from anyone  
5 right now, so --

6           **MS. BROWN:** I propose that those parties who  
7 have a position -- want to take a position now can do  
8 it. If not, they can inform me tomorrow what it is.

9           **COMMISSIONER GARCIA:** Okay. And the exhibit  
10 list, is everybody fine with that? All right.

11           Is there anything else that needs to be  
12 taken up? This is pretty painless. I guess that does  
13 it.

14           I had asked Stan to look at some stuff that  
15 I was looking at, and I guess you and I can discuss  
16 that later, but we don't need to do that here. Thank  
17 you.

18           **MS. WHITE:** One other thing. Just to follow  
19 up on the Key West hearing.

20           **COMMISSIONER GARCIA:** Yes.

21           **MS. WHITE:** Mr. St. Peter -- Phillip?

22           **COMMISSIONER GARCIA:** Yes.

23           **MS. WHITE:** The last witness?

24           **COMMISSIONER GARCIA:** Yes.

25           **MS. WHITE:** I called his number to respond

1 STATE OF FLORIDA)  
2 COUNTY OF LEON )


## CERTIFICATE OF REPORTER

3 I, ROWENA NASH Official Commission Reporter,

4 DO HEREBY CERTIFY that the Prehearing  
5 Conference in Docket No. 971058-TL was heard by the  
6 Prehearing Officer at the time and place herein  
7 stated; it is further

8 CERTIFIED that I stenographically reported  
9 the said proceedings; that the same has been  
10 transcribed under my direct supervision; and that this  
11 transcript, consisting of 11 pages, constitutes a true  
12 transcription of my notes of said proceedings

13 DATED this 9th day of October, 1997.

14   
15 \_\_\_\_\_  
16 ROWENA NASH  
17 Official Commission Reporter  
18 (904) 413-6736

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