

**NANCY B. WHITE**  
Assistant General Counsel-Florida

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(305) 347-5558

November 17, 1997

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

**Re: Docket No. 971314-TP (Sprint Complaint)**

Dear Ms. Bayó:

✓  
Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Formal Hearing, which we ask that you file in the above-captioned matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

*O'Fallenza*

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Sincerely,

*Nancy B. White*  
Nancy B. White

NBW/vf

cc: All parties of record  
A. M. Lombardo  
R. G. Beatty  
William J. Ellenberg II

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TALLAHASSEE, FL

**CERTIFICATE OF SERVICE  
DOCKET NO. 971314-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served  
by U.S. Mail this 17th day of November, 1997 to the following:

Monica Barone  
Staff Counsel-FPSC  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
Tel No. (850) 413-6197

C. Everett Boyd, Jr.  
ERVIN, VARN, JACOBS & ERVIN  
305 South Gadsden Street  
Tallahassee, FL 32301  
Tel. No. (850) 224-9135  
Fax. No. (850) 222-9164

  
Nancy B. White

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint of Sprint Communications) Docket No.: 971314-TP  
Company Limited Partnership, d/b/a )  
Sprint, and Sprint Metropolitan Networks, )  
Inc., Against BellSouth Telecommunica- )  
tions, Inc. )  
\_\_\_\_\_ ) Filed: November 17, 1997

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
REQUEST FOR FORMAL HEARING**

BellSouth Telecommunications, Inc., ("BellSouth"), pursuant to Sections 120.569 and 120.57(1), Florida Statutes, hereby files its request for a formal proceeding in the above captioned matter. In support thereof, BellSouth states the following:

1. On October 14, 1997, Sprint Communications Company Limited Partnership and Sprint Metropolitan Network, Inc. (collectively "Sprint") filed a Complaint against BellSouth, alleging that BellSouth violated the terms of the BellSouth/Sprint Interconnection Agreement entered into on March 13, 1997, *effective retroactively to January 1, 1997.*
2. On November 3, 1997, BellSouth filed a response to Sprint's Complaint.
3. It has come to BellSouth's attention that the schedule for this proceeding does not include a formal hearing, but instead lists a Staff Recommendation to be issued on December 4, 1997 and to be raised at the December 16, 1997 agenda of this Commission.
4. There are disputed issues of material fact present in this docket between BellSouth and Sprint. Moreover, any decision made herein will affect the substantial

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interests of BellSouth. Therefore, a formal proceeding is appropriate under Sections 120.569 and 120.57(1), Florida Statutes.

5. This Commission cannot decide the fate of Sprint's Complaint until the facts have been heard. The allegations in Sprint's Complaint should be made under oath in testimony with the right of cross-examination and the right of BellSouth's witnesses to address the allegations, not in a pleading. In its response to Sprint's Complaint, BellSouth has challenged the factual foundation of the Complaint.

6. Moreover, BellSouth's substantial interests will be affected by this proceeding. If this Commission finds in favor of Sprint, BellSouth will suffer injury in fact because it would be found in violation of the interconnection agreement between BellSouth and Sprint, as well as in violation of Florida law. Such a finding would have immediate adverse consequences to BellSouth.

WHEREFORE, BellSouth requests that a formal hearing be held in this docket.

Respectfully submitted this 17th day of November, 1997.

BELLSOUTH TELECOMMUNICATIONS, INC.

*Robert G. Beatty*

ROBERT G. BEATTY

NANCY B. WHITE

c/o Nancy H. Sims

150 So. Monroe Street, Suite 400

Tallahassee, FL 32301

(305) 347-5555

*William J. Ellenberg II*

WILLIAM J. ELLENBERG II

J. PHILLIP CARVER

Suite 4300

675 W. Peachtree St., NE

Atlanta, GA 30375

(404) 335-0711