

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of WorldCom	)	Docket No. 971478-TP
Technologies, Inc. against	)	
BellSouth Telecommunications, Inc.	)	Filed: 12-4-97
for breach of terms of Florida	)	
Partial Interconnection Agreement	)	
under Sections 251 and 252 of the	)	
Telecommunications Act of 1996,	)	
and request for relief	)	

PETITION OF INTERMEDIA COMMUNICATIONS INC. FOR LEAVE TO INTERVENE

Comes now Intermedia Communications Inc. (Intermedia) and requests that the Commission grant it intervention in this proceeding. As grounds Intermedia states:

- 1. The exact name of the Petitioner and its address is:

Intermedia Communications Inc. 3625 Queen Palm Drive Tampa, Florida 33619-1309

- 2. All notices, pleadings, orders, and documents in this proceeding should be provided to:

Patrick K. Wiggins Donna L. Canzano Wiggins & Villacorta, P.A. 501 East Tennessee Street Suite B P.O. Drawer 1657 Tallahassee, Florida 32302 (850) 222-1534

and

Steve Brown Intermedia Communications Inc. 3625 Queen Palm Drive Tampa, Florida 33619-1309 (813) 621-0011

- 3. Intermedia is certificated by the Florida Public Service Commission to provide both local and long distance telecommunica-

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tions services. Intermedia is currently providing local service in the state of Florida.

4. Intermedia currently provides local telecommunications services pursuant to its interconnection agreement with BellSouth Telecommunications, Inc. (BellSouth). One provision of the BellSouth/Intermedia interconnection agreement provides for the mutual compensation for the termination of local calls.

5. By letter dated August 12, 1997, BellSouth sent a letter to "All Competitive Local Exchange Carriers" stating that BellSouth considers local calls made to Internet service providers (ISPs) to be jurisdictionally interstate, and that it would not submit payment for the termination of local calls made to Internet service providers on Intermedia's network. MFS Intelenet of Florida, Inc. (MFSI), now known as WorldCom Technologies, Inc. (WTI), was one of the competitive local exchange carriers that received the August 12, 1997 letter.

6. WTI's complaint in this docket alleges that by virtue of BellSouth's August 12th letter and its continuing refusal to recognize local calls made to ISPs as local traffic for purposes of mutual compensation, BellSouth has breached its interconnection agreement with MFS. As relief, WTI requests inter alia that the Commission rule

. . . that all telephone calls placed within the same local calling area from a BellSouth provided telephone exchange service end user to an MFS provided telephone exchange service end user qualify as local traffic within the meaning of its . . . (interconnection agreement).

7. Intermedia finds itself in much the same position as WTI. Specifically, BellSouth's August 12th letter and its course of conduct with respect to local ISP traffic breach the BellSouth-Intermedia interconnection agreement. Nevertheless, Intermedia has not yet filed its own complaint because, consistent with its past practice, Intermedia is attempting to resolve this problem through negotiation and has not exhausted that process.

8. This is a case of first impression involving the same issue currently in dispute between Intermedia and BellSouth. Thus, the Commission's decision in this docket will have a direct effect on the substantial interests of Intermedia and its customers. Moreover, because of Intermedia's experience with respect to the issues to be determined in this docket, Intermedia's participation as a party will facilitate in developing the record. Thus, as contemplated under Section 120.52(12)(c), Florida Statutes, the Commission should allow Intermedia to participate in this proceeding as a party.

WHEREFORE, Intermedia Communications Inc. respectfully requests that it be granted leave to intervene in the above proceeding.

Dated this 4th day of December, 1997.

*Donna L. Canzano*

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Donna L. Canzano  
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(850) 222-1534  
(850) 222-1689 FAX

Counsel for Intermedia  
Communications Inc.

**CERTIFICATE OF SERVICE**


I HEREBY CERTIFY that a copy of Intermedia Communications Inc.'s Petition for Leave to Intervene has been furnished by U.S. Mail this 4th day of December, 1997 to the following:

Charles Pellegrini  
Division of Legal Services  
Florida Public Service  
Commission  
2540 Shumard Oak Boulevard  
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Donna L. Carzano