

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: PETITION BY NATIONAL TELECOMMUNICATIONS, INC., FOR RESOLUTION OF DISPUTE WITH BELLSOUTH TELECOMMUNICATIONS, INC.

DOCKET NO. 971044-TP

FILED: December 5, 1997

PREHEARING STATEMENT OF NATIONAL TELECOMMUNICATIONS, INC.

COMES NOW, National Telecommunications, Inc. ("NationalTel"), by and through its undersigned counsel, and in compliance with the Commission's Order Establishing Procedure issued by the Prehearing Officer on October 11, 1997, herewith submits its Prehearing Statement.

A. Witnesses

NationalTel intends to call Mark Mansour as a witness, and reserves the right to call rebuttal witnesses, witnesses to respond to Commission inquiries not addressed in direct or rebuttal testimony, and witnesses to address issues not presently designated which may be designated by the Prehearing Officer at the prehearing conference to be held on December 12, 1997.

B. Exhibits

ACK → NationalTel intends to offer two exhibits identified in the prefiled direct testimony of Mr. Mansour (MAM-1 and MAM-2), and the page from BellSouth's billing statement attached as Exhibit "B" to the Petition (MAM-3).

Norton

C. Statement of Basic Position

The "Processing Change Charge" imposed by BellSouth on NationalTel when an existing BellSouth customer initiates local service from NationalTel is not authorized by the parties' Resale Agreement or by BellSouth's tariff. The "switch as is" transaction

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is not a "transfer of responsibility" or other change in service as contemplated by Section A4.2.4C. of BellSouth's tariff, and there is no other tariff provision that authorizes such a "processing change charge".

D. Sprint's Position on the Issues

Issue 1: Is it appropriate for BellSouth Telecommunications, Inc., to apply the charge variously known as the "Processing Change Charge" or the "Secondary Service Charge" to National Telecommunications, Inc., when an existing BellSouth customer initiates local service from National Telecommunications, Inc., as a resale customer?

Position: The "Processing Change Charge" imposed by BellSouth on NationalTel when an existing BellSouth customer initiates local service from NationalTel is not authorized by the parties' Resale Agreement or by BellSouth's tariff. The "switch as is" transaction is not a "transfer of responsibility" or other change in service as contemplated by Section A4.2.4C. of BellSouth's tariff, and there is no other tariff provision that authorizes such a "processing change charge".

Issue 2: What further action, if any, should the Commission take?

Position: The Commission should direct BellSouth to immediately cease billing NationalTel for the "Charge For Processing Change in Service" and to refund to NationalTel, with interest at the legal rate of interest, all amounts paid for such a charge.

E. Stipulations

There are no stipulations between the parties.

F. Pending Motions

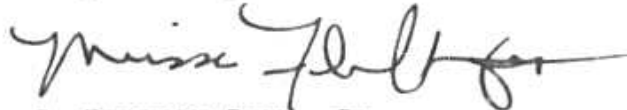
There are no pending motions.

G. Other Requirements

NationalTel knows of no requirements set forth in any prehearing orders with which it cannot comply.

DATED this 5th day of December, 1997.

Respectfully submitted,



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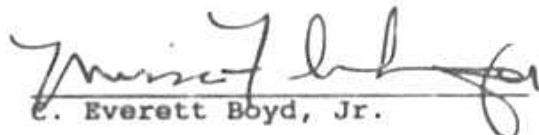
Attorneys for NationalTel

CERTIFICATE OF SERVICE

I CERTIFY that a copy of NationalTel's Prehearing Statement has been furnished by U.S. mail to the following parties this 5th day of December 1997:

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