



ORIGINAL

Charles J. Rehwinkel
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Mr. Bayo
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Florida Public Service Commission
2540 Shumard Oak Boulevard
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February 4, 1998

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

Re: Docket No. 970526-TP

Dear Ms. Bayo:

Enclosed for filing is the original and fifteen (15) copies of Sprint-Florida, Inc.'s Prehearing Statement.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Sincerely,

ACK ✓ *Charles J. Rehwinkel*

AFA _____
AFP _____ Charles J. Rehwinkel

CAF ✓ CJR/th

CMU ✓ Enclosures

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Generic consideration of incumbent local exchange (ILEC) business office practices and tariff provisions in the implementation of intraLATA presubscription.

DOCKET NO. 970526-TP

FILED: February 4, 1998

MOTION TO ACCEPT LATE-FILED PREHEARING STATEMENT

Pursuant to Commission rule 25-22.037, F.A.C., Sprint-Florida hereby moves the Prehearing Officer to grant leave to file Sprint-Florida's prehearing statement late. In support, Sprint-Florida states as follows:

- 1. The Order on Prehearing Procedure in this docket calls for prehearing statements to be filed on January 30, 1998. Rule 25-22. 038(2), F.A.C. requires the filing of Prehearing statements in order to preserve a Party's rights in a docket.**
- 2. Due to oversight, counsel for Sprint-Florida failed to file Sprint-Florida's prehearing statement in a timely fashion.**
- 3. Upon returning from a two day trip to Orlando, the undersigned discovered the error and has prepared for filing a prehearing statement.**
- 4. Counsel has not contacted counsel for other Parties to gauge any objections, but due to the fact that the parties have reached tentative agreement on some issues and have substantially agreed upon a process for resolution of the issues of this docket, Sprint-Florida submits that parties will not object.**

WHEREFORE, for the above reasons Sprint-Florida requests that the accompanying Prehearing Statement be accepted for consideration pursuant to Commission rules.

Respectfully submitted this 4th day of February 1998.



**Charles J. Rehwinkel
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Generic consideration of incumbent local exchange (ILEC) business office practices and tariff provisions in the implementation of intraLATA presubscription.

DOCKET NO. 970526-TP

FILED: February 4, 1998

PREHEARING STATEMENT OF SPRINT-FLORIDA

Pursuant to Order No. PSC-98-0010-PCO-TL, issued, January 5, 1997 and Rule 25-22.038(3), F.A.C., Sprint-Florida, Incorporated ("Sprint-Florida") files this Prehearing statement.

A. Witnesses.

At this time the only witness filing testimony on behalf of Sprint-Florida is Sandra Khazraee.

B. Exhibits.

At this time Sprint-Florida has not identified any exhibits in this proceeding.

C. Basic Position.

Sprint's Basic Position is that the intraLATA marketplace is sufficiently developed such that the FPSC should not have to intervene to regulate marketing practices. However, to the extent that the Commission seeks to impose the same terms and conditions on all LECs as have been imposed on BellSouth, Sprint does not contest the general purpose of this docket. Sprint urges that the Commission adopt whatever negotiated

resolution of this docket is presented by the parties. Furthermore, Sprint's marketing practices relating to intraLATA toll are in accord with the purposes of the BellSouth decision and are not anti-competitive.

D. Questions of Law, Policy or Fact at Issue.

Issue 1. Should the Commission prohibit GTEFL, Sprint-LEC, and the small ILECs from utilizing terminology that suggest ownership of the intra-LATA toll calling area when referring to the intra-LATA service areas in directories and bill inserts?

Position: Sprint-Florida is in compliance with the Commission's decision in the BellSouth Order. Sprint-Florida believes that this issue will be resolved through stipulation.

Issue 2. Should the Commission require GTEFL., Sprint-LEC, and the small ILECs to place a new customer who is undecided regarding a choice of intraLATA carrier in a no-PIC status until such a choice is made?

Position: Sprint-Florida is in compliance with the Commission's decision in the BellSouth Order. Sprint-Florida believes that this issue will be resolved through stipulation.

Issue 3. Should the Commission require GTEFL, Sprint-LEC, and the small ILECs to put in place competitively-neutral customers contract protocols for:

a. Communicating information to new customers regarding intraLATA choices:

Position: Sprint-Florida is in compliance with the Commission's decision in the BellSouth Order. Sprint-Florida's use of the phrase "in addition to us" does not violate the letter or spirit of the BellSouth order, nor does it provide an undue advantage to Sprint-Florida. Instead the phrase is a fair statement of fact that the local exchange company is one of the carriers for intraLATA long distance and is sufficiently neutral and does not "market Sprint-

Florida's services in any way. This issue will be briefed.

b. ILEC processing of all PIC change orders of its customers?

Position: Sprint-Florida is in compliance with the Commission's decision in the BellSouth Order. Sprint-Florida believes that this issue will be resolved through stipulation.

c. ILECs' ability to market their service to existing customers changing their intraLATA carriers? If so, for what period of time should any such requirements be imposed?

Position: Sprint-Florida is in compliance with the Commission's decision in the BellSouth Order. Sprint-Florida believes that this issue will be resolved through stipulation.

d. ILECs' ability to market their intraLATA services to existing customers when they call for reasons other than selecting intraLATA carriers? If so, for what period of time should any such requirements be imposed?

Position: Sprint-Florida is in compliance with the Commission's decision in the BellSouth Order. Sprint-Florida believes that this issue will be resolved through stipulation.

Issue 4. Should the Commission require the ILECS to provide one free PIC to existing customers?

Position: Sprint-Florida is in compliance with the Commission's decision in the BellSouth Order. Sprint-Florida believes that this issue will be resolved through stipulation.

Issue 5. Should the Commission require GTEFL, Sprint-LEC and the small ILECs to provide two-for-one PIC to existing customers?

Position: Sprint-Florida is in compliance with the Commission's decision in the BellSouth Order. Sprint-Florida believes that this issue will be resolved through stipulation.

H. Pending motions

Sprint-Florida is unaware of any pending motions.

I. Compliance Matters.

There are no requirements or matters that Sprint-Florida is aware of that cannot be complied with.

Respectfully Submitted,



**Charles J. Rehwinkel
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**CERTIFICATE OF SERVICE
DOCKET NO. 970526-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S. Mail this 4th day of February, 1998 to the following:

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