

NANCY B. WHITE  
Assistant General Counsel-Florida

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

March 6, 1998

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. 980119-TP Supra's Complaint**

Dear Ms. Bayó:

Pursuant to the Issue Identification workshop held on February 26 and 27, 1998 regarding the above captioned docket, please be advised that BellSouth objects to the inclusion of Issues 1, 2, 3, and 6 for the following reasons.

Issue 1, 2, and 3 should be rejected for two reasons. First, to the extent Supra desires to argue these issues, they may do so in the context of the specific sub-issues contained in Issue 4. Second, Issues 1, 2, and 3 are inappropriate for this docket. Supra's Complaint concerns implementation issues regarding the agreements between BellSouth and Supra; Issues 1, 2, and 3 concern whether Supra should be allowed to abrogate these existing agreements. To that end, these issues more properly pertain to Docket No. 980155-TP, Supra's Petition for Generic Proceeding. If the Commission grants BellSouth's Motion to Dismiss Supra's Petition in that docket, then these issues are inappropriate for both dockets.

Issue 6, as suggested by Supra, is also inappropriate. Section 251 of the Telecommunications Act of 1996 requires that BellSouth resale its telecommunications services. In no way can BellSouth's billing service be construed as a telecommunications service. Section 4(46) of the act specifically defines "telecommunications service" as the offering of telecommunications for a fee directly to the public. Section 4(43) of the Act defines "telecommunications" as the transmission, between points, of information. BellSouth has the absolute right to decline to bill for any ALEC.

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- SMU *Siranni*
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 2
- LIN 4
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

02948 MAR-6 88

FPSC-RECORDS/REPORTING

BellSouth, therefore, requests the Prehearing Officer to reject Supra's proposed Issues 1, 2, 3, and 6.

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.

Sincerely,

*Nancy B. White (KR)*

Nancy B. White

Enclosures

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

**CERTIFICATE OF SERVICE**  
**Docket No. 980119-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served  
by U.S. Mail this 6th day of March, 1998 to the following:

Beth Keating  
Legal Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Suzanne Fannon Summerlin, Esq.  
1311-B Paul Russell Rd., #201  
Tallahassee, Florida 32301  
Tel. No. (850) 656-2288  
Fax. No. (850) 656-5589

Wiggins Law Firm  
Donna Canzano  
P.O. Drawer 1657  
Tallahassee, FL 32302  
Tel. No. (850) 222-1534  
Fax. No. (850) 222-1689

Nancy B. White (kr)  
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