

HOPPING GREEN SAMS & SMITH
PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS

ORIGINAL

JAMES S. ALVES
BRIAN H. BIBEAU
KATHLEEN BLIZZARD
ELIZABETH C. BOWMAN
RICHARD S. BRIGHTMAN
PETER C. CUNNINGHAM
RALPH A. DeMEO
THOMAS M. DeROSE
WILLIAM H. GREEN
WADE L. HOPPING
FRANK E. MATTHEWS
RICHARD D. MELSON
ANGELA R. MORRISON
GARY V. PERKO
MICHAEL P. PETROVICH
DAVID L. POWELL
WILLIAM D. PRESTON
CAROLYN S. RAEPPE
DOUGLAS S. ROBERTS
GARY P. SAMS
TIMOTHY G. SCHOENWALDER
ROBERT P. SMITH
CHERYL G. STUART

123 SOUTH CALHOUN STREET
POST OFFICE BOX 6526
TALLAHASSEE, FLORIDA 32314
(850) 222-7500
FAX (850) 224-8551
FAX (850) 425-3415

KEVIN B. COVINGTON
RANDOLPH M. GIDDINGS
KIMBERLY A. GRIPPA
GARY K. HUNTER, JR.
JONATHAN T. JOHNSON
ROBERT A. MANNING
W. STEVE SYKES
T. KENT WETHERELL, II
OF COUNSEL
W. ROBERT FOKES

Writer's Direct Dial No.
(850) 425-2313

April 8, 1998

Ms. Blanca S. Bayó
Director, Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

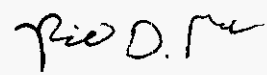
Re: Docket No. 980281-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of MCImetro Access
Transmission Services, Inc. are the original and 15 copies of
MCImetro's Motion to Expedite Hearing Schedule.

By copy of this letter this document has been provided to
the parties on the attached service list.

Very truly yours,



Richard D. Melson

- ACK _____
- AFA _____
- APP _____ RDM/clp
- APP _____ Enclosures
- CAF _____ cc: Service List
- CMU Norton
- CTR _____
- EAG _____
- LEG 1
- LIN 5
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

DOCUMENT NUMBER-DATE
04044 APR-88
FPSC RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of MCImetro Access)	
Transmission Services, Inc. against)	Docket No. 980281-TP
BellSouth Telecommunications, Inc.)	
For Breach of Approved)	Filed: April 8, 1998
Interconnection Agreement)	

**MOTION OF MCIMETRO ACCESS TRANSMISSION SERVICES, INC.
TO EXPEDITE HEARING SCHEDULE**

MCImetro Access Transmission Services, Inc. ("MCImetro") moves that the hearing schedule in this case be expedited and that a hearing be held and an order issued by June 30, 1998 or as soon thereafter as possible. As grounds for its Motion, MCImetro states the following:

1. MCImetro filed its Complaint on February 23, 1998. The Complaint includes several claims relating to the Operations Support Systems ("OSS") provided by BellSouth Telecommunications, Inc. ("BellSouth"), as well as claims relating to trunk blockage reports, local tandem interconnection, flat-rate usage data, directory listings and BellSouth's soft dial service. Many of the claims raised in the Complaint seek to address deficiencies noted in the Commission's order dated November 19, 1997 ruling that BellSouth failed to meet the fourteen point checklist of the Telecommunications Act of 1996, 47 U.S.C. §§ 151 et seq.

2. The Interconnection Agreement (the "Agreement") between MCImetro and BellSouth provides that the Commission has continuing jurisdiction to implement and

DOCUMENT NUMBER-DATE

04044 APR-8 88

enforce all terms and conditions of the Agreement and that any dispute arising out of or relating to the Agreement may be submitted to the Commission for resolution.

Agreement, Part A, ¶ 23. The parties agreed “to seek expedited resolution by the Commission,” and to “request that resolution occur in no event later than sixty (60) days from the date of submission of such dispute.” Id. MCImetro sought expedited resolution in its Complaint pursuant to the Agreement.

3. On March 20, 1998, the Commission issued a case schedule calling for, among other things, a hearing on October 8-9, 1998 and the issuance of an order on December 21, 1998.

4. MCImetro has sought aggressively to penetrate the Florida local telephone exchange market, but has faced major obstacles, several of which MCImetro seeks to remedy in the Complaint. Delaying resolution of MCImetro’s claims until December will significantly impede its ability in the interim to bring local competition to the Florida market.


5. As reflected in Exhibits A-F of the Complaint, MCImetro has been attempting for some time to resolve the disputed issues with BellSouth. Although some discovery may be required, the parties are generally familiar with the issues and do not require six months to prepare for the hearing.

6. MCI recognizes that, as a practical matter, it is no longer possible for the Commission to resolve the claims within the 60-day target set forth in the Interconnection Agreement. MCI nevertheless urges the Commission to revise the schedule for this proceeding in a manner that will accommodate both the Commission’s calendar and the parties’ need for a speedy resolution of the Complaint.

For the foregoing reasons, MCImetro respectfully requests that its Motion be granted and that a revised and accelerated schedule be prepared that calls for a final order to be issued by June 30, 1998 or as soon thereafter as possible.

RESPECTFULLY SUBMITTED this 8th day of April, 1998.

HOPPING GREEN SAMS & SMITH, P.A.

By: 

Richard D. Melson
P.O. Box 6526
Tallahassee, FL 32314
(850) 425-2313

and

DULANEY L. O'ROARK III
THOMAS K. BOND
MCI Telecommunications Corporation
780 Johnson Ferry Road, Suite 700
Atlanta, GA 30346
(404) 267-5789

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following parties by Hand Delivery this 8th day of April, 1998.

Will P. Cox
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Suite 370
Tallahassee, FL 32399-0850

Nancy White
c/o Nancy Sims
BellSouth Telecommunications
150 South Monroe Street
Suite 400
Tallahassee, FL 32301

Richard D. ...

ATTORNEY