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June 17, 1998

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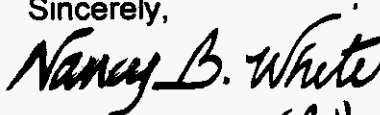
Re: Docket Nos. 870248-TL, 870790-TL, 900039-TL, 910022-TL, 910528-TL, 910529-TL, 911185-TL, 921193-TL and 930173-TL

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Brief of the Evidence, which we ask that you file in the above-captioned matters.

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 (PW)

NBW/vf

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

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE

**Docket Nos. 870248-TL, 870790-TL, 900039-TL, 910022-TL,
910528-TL, 910529-TL, 911185-TL, 921193-TL and 930173-TL**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served
by U.S. Mail this 17th day of June, 1998 to the following:

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Nancy B. White

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution by Holmes County Board of County Commissioners for extended area service in Holmes County.

Docket No. 870248-TL

In re: Request by Gilchrist County Commissioners for extended area service throughout Gilchrist County.

Docket No. 870790-TL

In re: Resolution by the Orange County Board of County Commissioners for extended area service between the Mount Dora exchange and the Apopka, Orlando, Winter Garden, Winter Park, Ease Orange, Reedy Creek, Windmere, and Lake Buena Vista exchanges.

Docket No. 900039-TL

In re: Resolution by Bradford County Commission requesting extended area service within Bradford County and between Bradford County, Union County and Gainesville.

Docket No. 910022-TL

In re: Request by Putnam County Board of County Commissioners for extended service between the Crescent City, Hawthorne, Orange Springs, and Melrose exchanges, and the Palatka exchange.

Docket No. 910528-TL

In re: Request by Pasco County Board of County Commissioners for extended service between all Pasco County exchanges.

Docket No. 910529-TL

In re: Request for extended area service between all exchanges within Volusia County by Volusia County Council.

Docket No. 911185-TL

In re: Resolution by the Palm Beach County Board of County Commissioners for extended area service between all exchanges in Palm Beach County.

Docket No. 921193-TL

In re: Petition by the Residents of Polo Park Requesting Extended Area Service (EAS) between the Haines City exchange and the Orlando, West Kissimmee, Lake Buena Vista, Windermere, Reedy Creek, Winter Park, Clermont, Winter Garden and St. Cloud exchanges.

Docket No. 930173-TL

Filed: June 17, 1998

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
BRIEF OF THE EVIDENCE**

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STATEMENT OF THE CASE

The Commission suspended action in these dockets pending review of the impact of the Telecommunications Act of 1996 (the Act) on pending requests for interLATA extended area service (EAS) on BellSouth routes. The routes at issue in these combined dockets that involve a BellSouth exchange are as follows:

| Docket Number | Route | BellSouth Exchange |
|----------------------|--|--|
| 870248-TL | Ponce de Leon and Defuniak Springs to Graceville | Graceville |
| 870790-TL | Branford and High Springs to Trenton | Trenton |
| 900039-TL | Mt. Dora to Apopka, Orlando, Winter Garden, Winter Park, East Orange, Reedy Creek, Windermere and Lake Buena Vista | East Orange and Orlando |
| 910022-TL | Lawtey, Raiford and Starke to Gainesville | Gainesville |
| 910528-TL | Interlachen to Hawthorne and Keystone Heights; Florahome to Keystone Heights and Melrose; Orange Springs to Palatka | Hawthorne, Keystone Heights and Palatka |
| 910529-TL | Hudson to Brooksville | Brooksville |
| 911185-TL | Orange City to Daytona Beach, New Smyrna Beach, Oak Hill, Pierson and DeLeon Springs. | Daytona Beach, New Smyrna Beach, Oak Hill, Pierson and DeLeon Springs. |
| 921193-TL | Clewiston to Belle Glade | Belle Glade |
| 930173-TL | Haines City to Orlando, West Kissimmee, Lake Buena Vista, Windermere, Reedy Creek, Winter Park, Clermont, Winter Garden and St. Cloud. | Orlando |

The Commission previously determined that several of the subject routes warranted some form of toll relief. By Order No. PSC-96-0557-FOF-TL, issued April 25, 1996, the Commission ordered BellSouth to seek a waiver from the Federal Communications Commission (FCC) of the interLATA requirements set forth in the Act.

In Order No. PSC-97-0622-FOF-TL, issued May 30, 1997, the Commission suspended action in the combined dockets and relieved BellSouth of certain of the requirements set forth in Order No. PSC-96-0557-FOF-TL, because of the Act's impact on BellSouth's ability to originate interLATA traffic. The Commission ordered that the routes considered in Order No. PSC-97-0622-FOF-TL be set for hearing to consider the feasibility of one-way extended calling service (ECS) and ordered that Dockets Nos. 870248-TL, 870790-TL, 900039-TL, 910022-TL, 910528-TL, 910529-TL, 911185-TL and 921193-TL remain open pending a determination of whether one-way ECS was feasible on the subject routes.

In Order No. PSC-97-1462-PCO-TL and Order No. PSC-98-0558-PCO-TL, the Commission ordered that Dockets Nos. 870248-TL, 870790-TL, 900039-TL, 910022-TL, 910528-TL, 910529-TL, 911185-TL, 921193-TL, and 930173-TL be consolidated for hearing purposes. In that same Order, the Commission established the procedure to be utilized in these combined dockets.

A summary of BellSouth's positions on each of the issues to be resolved in these combined dockets is delineated in the following pages and marked with an asterik.

STATEMENT OF BASIC POSITION

Since the above-referenced routes carry interLATA traffic, BellSouth does not have any traffic data for them. In Order No. PSC-93-1168-FOF-TL, the Commission recognized that this data was not available to BellSouth and relieved it of the requirement to file traffic data on the subject routes. Without this data, BellSouth cannot take a position as to whether a sufficient community of interest exists to justify one-way ECS as a method to provide toll relief for the subject routes.

If the Commission determines, however, that a sufficient community of interest does exist on the subject routes and orders that one-way ECS be provided, BellSouth may only terminate the interLATA traffic on these routes. Since BellSouth is not permitted to make any unjust or unreasonable discrimination in termination charges (47 U.S.C. §202(a)), BellSouth recommends that terminating switched access rates be utilized as the appropriate rate for terminating traffic on the subject routes.

Issue 1: Is one-way ECS appropriate on the routes in question?

**** Position:** BellSouth does not have access to traffic data on the subject routes. In the absence of this data, BellSouth does not have a position on whether one-way ECS is appropriate.

The routes at issue in this docket are interLATA routes. Accordingly, BellSouth has no traffic data to determine whether there is a sufficient community of interest to justify one-way ECS. (Testimony of Conrad Martin, p.3). In the absence of traffic data, BellSouth does not take a position on whether one-way ECS is appropriate.

Issue 2: If one-way ECS is appropriate, what rate, if any, should BellSouth charge to terminate ECS interLATA traffic for all carriers?

**** Position:** BellSouth recommends that terminating switched access rates be utilized as the appropriate rate for terminating traffic on the subject routes.

The routes involved in these combined dockets carry interLATA traffic. Accordingly, BellSouth is required to charge interexchange carriers (IXCs), that complete calls on the subject routes, terminating access rates for terminating traffic. See, BellSouth's Access Services Tariff, E.1.1 et seq. While the Act does not prohibit BellSouth from terminating this interLATA traffic (47 U.S.C. §271(b)(4)), it does prohibit BellSouth from making any unjust or unreasonable discrimination in charges for that termination. (47 U.S.C. § 202(a)). Thus, unless BellSouth charges terminating access rates to a LEC originating the interLATA ECS call, as it would an IXC on the same route, a claim may be made that it is unjustly discriminating in the application of its access charges. The Commission recognized this limitation and, in Order No. PSC-97-0622-FOF-TL, stated:

Even if BellSouth can terminate interLATA traffic, it cannot make any unjust or unreasonable discrimination in termination charges. (47 U.S.C. §202(a)). Therefore, unless BellSouth charges terminating access rates to the LEC originating the interLATA ECS call, BellSouth could be considered to be unjustly discriminating in the application of its access charges.

Order No. PSC-97-0622-FOF-TL at 14.

Similarly, §364.16(3)(a), Fla. Stat., prohibits a local exchange company from delivering traffic for which terminating access service charges would otherwise apply through the use of a local interconnection arrangement. Accordingly, both the Act and

Chapter 364 prohibit BellSouth from charging interconnection rates as suggested by the Florida Competitive Carriers Association (FCCA) in its Prehearing Statement. If the Commission orders one-way ECS service on the subject routes, BellSouth is required to charge terminating access rates to all originating carrier(s).

Issue 3: If one-way ECS is ordered on the routes in question and a termination charge is deemed appropriate, what economic impact will this have on the originating LECs?

**** Position:** BellSouth does not have sufficient information to take a position on the economic impact that one-way ECS with a termination charge would have on the originating LECs.

Issue 4: If one-way ECS is appropriate, what rate structure and rate levels should the LECs charge?

**** Position:** BellSouth does not have sufficient information to take a position on the rate structure and rate levels that should be utilized by the originating LECs.

CONCLUSION

The subject routes in these combined dockets carry interLATA traffic. If the Commission determines that one-way ECS should be provided, BellSouth may only terminate this interLATA traffic. (47 U.S.C. 271(b)(4)). BellSouth must charge IXCs completing calls on these routes terminating access rates pursuant to its Access Services Tariff. Since BellSouth is not permitted to make any unjust or unreasonable discrimination in the application of its termination charges (47 U.S.C. §202(a)), it

recommends that terminating switched access rates be utilized as the appropriate rate for terminating the interLATA ECS traffic on the subject routes.

Respectfully submitted, this 17th day of June, 1998.

BELLSOUTH TELECOMMUNICATIONS, INC.

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