

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning complaint of Easy Cellular, Inc. d/b/a Telcom Plus against BellSouth Telecommunications, Inc. for alleged violations of the Telecommunications Act of 1996 and Chapter 364 of the Florida Statutes.

DOCKET NO. 980703-TP

DATED: DECEMBER 7, 1998

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-98-1389-PCO-TP, issued the Staff of the Florida Public Service Commission files its Prehearing Statement.

- A. All Known Witnesses: Staff does not intend to sponsor a witness at this time.
- B. All Known Exhibits: Staff has not yet identified a tentative list of exhibits which it intends to utilize in this proceeding. To the extent possible in view of the expedited schedule of this proceeding, Staff will supply a tentative list of such exhibits at or prior to the Prehearing Conference.
- C. Staff's Statement of Basic Position:  
None pending discovery.
- D. Staff's Position on the Issues:

ACK \_\_\_\_\_  
 AFA \_\_\_\_\_  
 APP \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMU \_\_\_\_\_  
 CTR \_\_\_\_\_  
 EAG \_\_\_\_\_  
 LEG \_\_\_\_\_  
 LIN 3 \_\_\_\_\_  
 OPC \_\_\_\_\_  
 RCH \_\_\_\_\_  
 SEC 1 \_\_\_\_\_  
 WAS \_\_\_\_\_  
 OTH \_\_\_\_\_

ISSUE 1: Based on the terms of the Resale Agreement dated March 3, 1997, between the parties, were nonrecurring charges from March 1997 until September 1997, subject to wholesale discounts?  
STAFF: Staff has no position at this time.

DOCUMENT NUMBER-DATE

13774 DEC-7 98

FPSC-RECORDS/REPORTING

ISSUE 1(a):

If so, what wholesale discounts were applicable to the nonrecurring charges from March 1997 until September 1997?

STAFF: Staff has no position at this time.

ISSUE 1(b):

What action, if any, should the Commission take?

STAFF: Staff has no position at this time.

ISSUE 2: Based on the terms of the Resale Agreement dated March 3, 1997, between BellSouth and Easy Cellular, was Easy Cellular entitled to the wholesale discount rates established in Order No. PSC-96-1579-FOF-TP (21.83% for residential and 16.81% for business services) from March 1997, rather than the discount rates provided for in the Agreement (18% for residential and 12% for business services)?

STAFF: Staff has no position at this time.

ISSUE 2(a):

What action, if any, should the Commission take?

STAFF: Staff has no position at this time.

ISSUE 3: Does Easy Cellular owe BellSouth for services provided to Easy Cellular by BellSouth pursuant to the parties' Resale Agreement dated March 3, 1997, and for which Easy Cellular has not paid BellSouth?

STAFF: Staff has no position at this time.

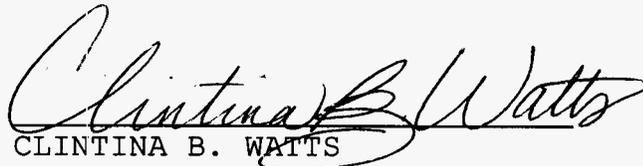
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ISSUE 3(a):

If so, what action should the Commission take?

STAFF: Staff has no position at this time.

RESPECTFULLY SUBMITTED,

  
CLINTINA B. WATTS  
BETH KEATING  
Staff Counsel

FLORIDA PUBLIC SERVICE COMMISSION  
Gerald L. Gunter Building  
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FILED: DECEMBER 7, 1998

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that copies of Staff's Prehearing Statement have been furnished by U. S. Mail, this 7th day of December, 1998, to the following:

Nancy B. White, Esquire  
c/o Ms. Nancy H. Sims  
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RESPECTFULLY SUBMITTED,

  
CLINTINA B. WATTS  
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Staff Counsel

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