

WIGGINS & VILLACORTA, P.A.

ATTORNEYS AT LAW

POST OFFICE DRAWER 1657  
TALLAHASSEE, FLORIDA 32302

2145 DELTA BOULEVARD, SUITE 200  
TALLAHASSEE, FLORIDA 32303

TELEPHONE (850) 385-6007  
FACSIMILE (850) 385-6008  
INTERNET: wiggvill@netally.com

December 28, 1998

Ms. June McKinney  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Docket No. 981642-TP - Petition by Intermedia  
Communications Inc. for Arbitration with BellSouth  
Telecommunications, Inc., pursuant to the  
Telecommunications Act of 1996

Docket No. 981745-TP - Petition by e.spire  
Communications, Inc. for Arbitration with BellSouth  
Telecommunications, Inc., pursuant to the  
Telecommunications Act of 1996

Dear June:

Intermedia Communications Inc., e.spire Communications, Inc.,  
and BellSouth Telecommunications, Inc. have agreed to consolidate  
the petitions for arbitration for hearing purposes. Consolidation  
of Intermedia's and e.spire's petitions for arbitration is  
consistent with Section 252(g) of the Act, because the matters  
involve similar issues of law and/or fact and it will reduce the  
administrative burdens for the Commission and the companies.

ACK \_\_\_\_\_ It is the understanding of the companies that a consolidated  
AFA \_\_\_\_\_ hearing will be held March 18, 22, 23, and 24, 1999. With these  
APP \_\_\_\_\_ hearing dates, it is expected that the Commission would render its  
CAF \_\_\_\_\_ decision beyond the nine-months required by Section 252(b)(4)(c) of  
CMU \_\_\_\_\_ the Act. The concurrence of Intermedia, e.spire, and BellSouth is  
CTR \_\_\_\_\_ predicated on the understanding that the Commission will render its  
EAG \_\_\_\_\_ decision by the end of April and that the post-hearing final order  
LEG \_\_\_\_\_ be issued by May 24, 1999. The parties also agree not to challenge  
in any venue the jurisdiction of this Commission regarding the  
timing of its decision in accordance with this paragraph.

LIN \_\_\_\_\_ Moreover, the parties have agreed to abide by the guidelines  
OPC \_\_\_\_\_ set forth in the AT&T/MCI/BellSouth consolidated proceedings.  
RCH \_\_\_\_\_ (Order No. PSC-96-1039-PCO-TP, issued August 9, 1996, in Docket  
Nos. 960833-TP, and 960846-TP). Specifically, the guidelines are:

SEC \_\_\_\_\_  
NAS \_\_\_\_\_  
OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

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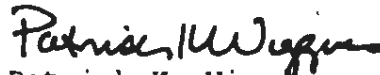
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- 1) The parties shall identify two categories of issues: those that are common to each petition and those that are unique to each petition.
- 2) All parties shall participate fully in the litigation of the issues that are common to both petitions. The Commission's decision on the common issues shall be binding on all parties.
- 3) Only the parties directly involved will participate in the litigation of the issues that are unique to only one of the petitions. The non-affected petitioner shall not present testimony, conduct cross-examination, or file a brief with respect to the issues that affect only the other petitioner. The Commission's decision on the unique issues shall be binding only on the parties who litigated the issue.

If you have any questions about this, please do not hesitate to call. Thank you for your assistance in this matter.

Sincerely,



Patrick K. Wiggins  
Wiggins & Villacorta, P.A.  
2145 Delta Blvd., Suite 200  
Tallahassee, FL 32303-4209

Scott A. Sapperstein  
Intermedia Communications Inc.  
3625 Queen Palm Drive  
Tampa, FL 33619

Of Counsel for Intermedia  
Communications Inc.



Nancy B. White  
Bellsouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, FL 32301  
(850) 222-1201

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Norman H. Horton, Jr. / pku  
Norman H. Horton, Jr.  
e.spire  
Messer, Caparello & Self, P.A.  
215 South Monroe Street  
Suite 701  
P.O. Box 1876  
Tallahassee, FL 32302-1876  
(850) 222-0720

cc: Blanca Bayo,  
Division of Records and Reporting  
Nancy White  
Nancy Sims  
Doc Horton