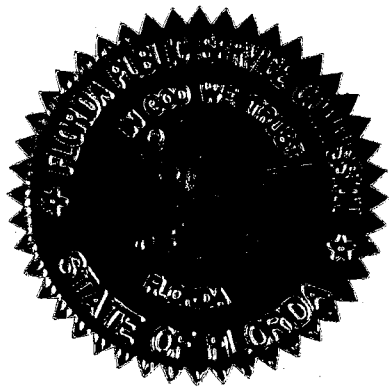


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of
Request for arbitration
concerning complaint of
MCImetro Access Transmission
Services LLC for enforcement
of interconnection agreement
with BellSouth
Telecommunications, Inc.

DOCKET NO. 981121-TP



PROCEEDINGS: **PREHEARING CONFERENCE**

BEFORE: **COMMISSIONER E. LEON JACOBS,**
 Prehearing Officer

DATE: **Friday, January 15, 1999**

TIME: Commenced at 9:38 a.m.
 Concluded at 9:48 a.m.

PLACE: **Betty Easley Conference Center**
 Room 152
 4075 Esplanade Way
 Tallahassee, Florida

REPORTED BY: **H. RUTHE POTAMI, CSR, RPR**
 FPSC Commission Reporter

DOCUMENT NUMBER - DATE
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1 **APPEARANCES:**

2 **RICHARD D. MELSON**, Hopping Green Sams and
3 Smith, Post Office Box 6526, Tallahassee, Florida
4 32314, appearing on behalf of **MCImetro Access**
5 **Transmission Services.**

6 **PHILLIP J. CARVER**, BellSouth
7 Telecommunications, Inc., c/o Nancy Sims, 150 South
8 Monroe Street, Suite 400, Tallahassee, Florida 32301,
9 appearing on behalf of **BellSouth Telecommunications,**
10 **Inc.**

11 **BETH KEATING**, Florida Public Service
12 Commission, Division of Legal Services, 2540 Shumard
13 Oak Boulevard, Tallahassee, Florida 32399-0870,
14 appearing on behalf of the **Commission Staff.**

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1 P R O C E E D I N G S

2 (Hearing convened at 9:38.m.)

3 COMMISSIONER JACOBS: We'll go back on the
4 record. Counsel, read the notice.

5 MS. KEATING: By notice issued January 5th,
6 1999, this time and place have been set for a
7 prehearing in Docket 981121-TP, the request for
8 arbitration concerning complaint of MCImetro Access
9 for enforcement of interconnection agreement with
10 BellSouth.

11 COMMISSIONER JACOBS: Take appearances.

12 MR. CARVER: Good morning. Phillip Carver,
13 representing BellSouth, 675 West Peachtree Street,
14 Atlanta, Georgia 30375.

15 MR. MELSON: Richard Melson of the law firm
16 Hopping Green Sams & Smith, P.A, Post Office Box 6526,
17 Tallahassee, on behalf of MCImetro.

18 MS. KEATING: Beth Keating appearing for
19 Commission Staff.

20 COMMISSIONER JACOBS: Are there any
21 preliminary matters?

22 MS. KEATING: None that I'm aware of.

23 COMMISSIONER JACOBS: All right. And none
24 from the parties?

25 MR. MELSON: Commissioner Jacobs, we had

1 made a proposal at one point to BellSouth to attempt
2 to stipulate the facts in this case, or to stipulate
3 all of the prefiled testimony and to deal with the
4 case on briefs and oral arguments. BellSouth had
5 rejected that proposal.

6 I wanted to make that again, although I have
7 talked with Mr. Carver, and I have reason to believe
8 it is still not something they want to do.

9 **MR. CARVER:** That's correct. We'd like to
10 go forward with the hearing.

11 **COMMISSIONER JACOBS:** Okay. Very well.

12 So we'll go through the prehearing order
13 section by section. Let's go -- Section 1, Section 2.
14 Any additions there, or corrections? (No response.)
15 All right, none.

16 Section 3. (No response.)

17 Section 4 or Section 5. (No response.)

18 Section 6.

19 **MR. MELSON:** Commissioner, the draft order
20 shows Mr. Martinez and Mr. Gillan making two
21 appearances on the stand, once for their direct and
22 once for their rebuttal. And while that's normally
23 the way I like to do it, in this case I think it makes
24 some sense to combine the direct and rebuttal in their
25 single appearance on the stand.

1 **COMMISSIONER JACOBS:** Very well.

2 **MR. CARVER:** And I would just add that the
3 draft order does not reflect that the BellSouth
4 witnesses have rebuttal testimony, but they also have
5 both direct and rebuttal; and I think it would make
6 sense for them also to make one appearance.

7 **COMMISSIONER JACOBS:** Very well. Great.
8 That takes care of Section 6. All right.

9 Section 7. Any additions or corrections to
10 basic positions?

11 **MR. MELSON:** No, sir.

12 **COMMISSIONER JACOBS:** Section 8. Wow.
13 Pretty much gets straight to the point here, don't we?
14 (Laughter.)

15 No changes to issues?

16 **MR. MELSON:** No, sir.

17 **MR. CARVER:** No, sir.

18 **COMMISSIONER JACOBS:** Section 9; exhibits.

19 **MR. MELSON:** MCI's exhibits are correctly
20 listed.

21 **COMMISSIONER JACOBS:** Okay. And then
22 Section 10, there are no stipulations.

23 Section 11. No motions? (No response.)

24 Wow.

25 **MR. MELSON:** Commissioner Jacobs, MCI would

1 like to have the opportunity to make an opening
2 statement at the outset of the hearing. I'd suggest
3 five minutes.

4 **COMMISSIONER JACOBS:** Okay. Would you like
5 a chance also, Mr. Carver?

6 **MR. CARVER:** Yes. I don't know that there's
7 a particular need for opening statements, but
8 certainly if they're going to reserve five minutes,
9 then I'd like to do the same.

10 **COMMISSIONER JACOBS:** All right. Granted.
11 Any other matters to come before us today?

12 **MR. MELSON:** No, sir.

13 **MR. CARVER:** None for BellSouth.

14 **COMMISSIONER JACOBS:** Great. Go forth and
15 do good. Prehearing is adjourned.

16 (Thereupon, the hearing concluded
17 at 9:38 p.m.)

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1 STATE OF FLORIDA)
2 COUNTY OF LEON)

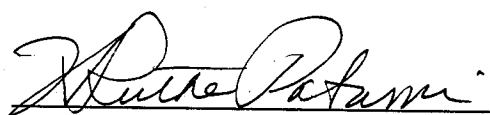
CERTIFICATE OF REPORTER

3 I, H. RUTHE POTAMI, CSR, RPR, Official
4 Commission Reporter,

5 DO HEREBY CERTIFY that the Prehearing
6 Conference in Docket No. 981121-TP was heard by the
7 Prehearing Officer at the time and place herein
8 stated; it is further

9 CERTIFIED that I stenographically reported
10 the said proceedings; that the same has been
11 transcribed under my direct supervision; and that this
12 transcript, consisting of 7 pages, constitutes a true
13 transcription of my notes of said proceedings.

14 DATED this 15th day of January, 1998.

15 

16 H. RUTHE POTAMI, CSR, RPR
17 Official Commission Reporter
18 (904) 413-6734

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