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

March 17, 1999

Re: Docket No. 990182-TP
Petition of DIECA Communications Inc. d/b/a Covad Communications Company
for Arbitration of Interconnection Rates, Terms, Conditions and Related
Arrangements with GTE

Dear Ms. Bayo:

At last week's issues identification conference in the above matter, GTE Florida Incorporated (GTE) opposed the inclusion in this docket of Covad Communications Company's (Covad) legal issues concerning dispute resolution and limitation of liability. GTE and Covad agreed that if they remained unable to settle these issues, they would submit their positions on their arbitrability by today, March 17. The parties have not yet been able to settle these issues.

As GTE pointed out at the issues identification conference, the legal issues Covad has raised are beyond the scope of this arbitration. GTE's position in this regard is set forth in its Response to Covad's Petition for Arbitration, filed on March 12, 1999. GTE thus refers the Staff and Covad to pages 5 and 6 of that Response. GTE's position on the arbitrability of these issues is also reflected in the Direct Testimony of GTE witness Samuel M. Jones, filed on March 15, 1999, at pages 9 and 10.

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If you need any further information, please contact me.

Sincerely,

Beverly Y. Menard

for Kimberly Caswell

c: Staff Counsel (via hand delivery)
James D. Earl, Esq. (via facsimile - 703-734-5474)