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Law Offices
Messer, Caparello & Self
A Professional Association

215 South Monroe Street, Suite 701
Post Office Box 1876
Tallahassee, Florida 32302-1876
Telephone: (850) 222-0720
Telecopiers: (850) 224-4359; (850) 425-1942
Internet: www.lawfla.com

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April 22, 1999

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Ms. Blanca Bayo, Director
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Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

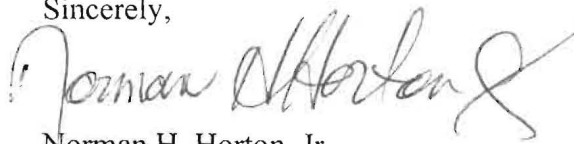
Dear Ms. Bayo:

Enclosed for filing on behalf of e.spire Communications, Inc. is an original and fifteen copies e.spire's Petition for Approval of Dialing Parity Plan.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,



Norman H. Horton, Jr.

NHH/amb
Enclosure

cc: James C. Falvey

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05245 APR 22 99

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added 5-18-01

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of e.spire Communications, Inc. for) Docket No.
approval of intraLATA toll dialing parity plan) Filed: April 22, 1999
_____)

PETITION FOR APPROVAL OF DIALING PARITY PLAN

American Communication Services of Jacksonville, Inc. d/b/a e.spire Communications, and ACSI Local Switched Services, Inc. d/b/a e.spire Communications, Inc. (collectively “e.spire” or the “Company”), pursuant to 47 C.F.R. §51.213, hereby petitions the Florida Public Service Commission (“Commission”) for approval of e.spire’s intraLATA toll dialing parity (*i.e.*, 1+ presubscription) plan as set forth below. In support of its petition, e.spire states as follows:

1. e.spire is a telecommunications carrier authorized to provide local and interexchange switched and dedicated services throughout the State of Florida. Copies of notices, pleadings and documents in this proceeding should be provided to:

Norman H. Horton, Jr. Messer, Caparello & Self, P.A. 215 S. Monroe Street, Suite 701 Tallahassee, Florida 32301-1876 Tel: 850-222-0720 Fax: 850-224-4359	James C. Falvey, Esq. e. spire Communications, Inc. 133 National Business Parkway, Suite 200 Annapolis Junction, Maryland 20701 Tel: 301-361-4298 Fax: 301-361-4277
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2. The Federal Communications Commission (“FCC”) requires that a local exchange carrier (“LEC”) which also offers in-region interLATA or in-region interstate toll services in a state to file a plan for providing intraLATA toll dialing parity throughout the state. 47 C.F.R. §51.213(a).¹

¹See also, FCC Order, In the Matters of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98, (Adopted March 19, 1999, Released March 23, 1999).

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The plan must be approved by the state commission, or the FCC, before the LEC may offer intraLATA toll dialing parity within that state. 47 C.F.R. §51.213(a) & (c).

47 C.F.R. §51.213(b) provides that a LEC's implementation plan must include:

- (1) a proposal that explains how the LEC will offer intraLATA toll dialing parity for each exchange that the LEC operates in the state, in accordance with the provisions of this section, and a proposed time schedule for implementation; and
- (2) a proposal for timely notification of its subscribers and the methods it proposes to use to enable subscribers to affirmatively select an intraLATA toll service provider.

3. e.spire proposes to implement toll dialing parity as follows:

e.spire will make 2-PIC (Primary Interexchange Carrier) capability for interLATA and intraLATA presubscription available in all LATAs within the State of Florida in which e.spire provides local exchange service using its own facilities. Any carrier authorized by the Commission to carry intraLATA toll calls may request that e.spire implement 2-PIC capability provided that the carrier (a) has established, or has submitted firm, non-cancelable orders to establish, direct interconnection of its network with e.spire's network, (b) has ordered access services from e.spire that will permit the carrier to receive 2-PIC calls from e.spire, and (c) has identified the LATA(s) in which it desires to receive intraLATA toll calls. These preconditions are appropriate to ensure that the requesting carrier will use the 2-PIC capability and that e.spire is not required to expend funds to install capabilities that carriers do not intend to use

4. e.spire will provide 2-PIC capability after receipt of a bona fide request from any eligible carrier. A reasonable time for implementation will be necessary to allow e.spire to make the necessary network, system and billing modifications to implement the request.

5. Before implementing intraLATA presubscription, e.spire will notify its existing switched customers of the option to presubscribe to an alternative carrier for their intraLATA toll service in addition to their presubscribed interLATA service. e.spire will also inform new customers of the option to select a carrier for both intraLATA and interLATA toll services. Upon implementation of intraLATA presubscription, e.spire will not automatically assign itself, an affiliate, or the customer's presubscribed interLATA toll carrier as the intraLATA toll carrier for new customers that fail to exercise a choice of carrier, except as permitted pursuant to 47 C.F.R. §51.209 (c) or other applicable law.

6. Before implementing intraLATA presubscription, e.spire will ensure that: 1) employees who communicate with the public, accept customer orders, and serve in customer service capacities will be trained to explain the process to customers for making PIC changes for intraLATA toll calls; 2) billing personnel will be prepared to make changes in customer records based on requests from customers or carriers and direct customers to their chosen intraLATA carriers; and 3) processes will be in place to provide new and existing customers with an opportunity to choose their intraLATA toll carrier from a list of available carriers.

7. At least ninety days in advance of e.spire's implementation date, any carrier desiring to provide intraLATA toll service within that LATA must provide e.spire a list of exchanges within the LATA in which they plan to offer such services. e.spire needs notification in advance to include

the carrier on the list of participating carriers in each e.spire exchange. Certified carriers who enter a LATA within which e.spire has implemented dialing parity will be added to the list of participating carriers after notifying e.spire of its their intent to provide intraLATA toll services in that LATA, provided the carrier has ordered access and established interconnection to e.spire as set forth herein. Also at least 90 days prior to the implementation date, each of those carriers must also establish, or submit firm, non-cancelable orders to establish, direct interconnection of its network with e.spire's network an order for access services from e.spire that will permit the carrier to receive 2-PIC calls from e.spire.

8. Subsequent to receipt of a bona fide request, and at least thirty days prior to offering presubscription, e.spire will submit, for Commission approval, its plan for recovery of the incremental costs of implementation of intraLATA toll dialing parity. In addition, any PIC change charges and/or waiver period will be filed in accordance with the Commission's tariffing requirements then in effect.

9. e.spire will modify its implementation plan, if necessary, to comply with applicable state and federal law.

WHEREFORE, for the reasons discussed above, e.spire petitions the Commission to enter an order approving e.spire's intraLATA toll dialing parity plan.

Dated this 22nd day of April, 1999.

Respectfully submitted,



NORMAN H. HORTON, JR.
FLOYD R. SELF
Messer, Caparello & Self, P.A.
Post Office Box 1876
Tallahassee, FL 32302-1876
(850) 222-0720

OF COUNSEL:
RILEY M. MURPHY, ESQ.
JAMES C. FALVEY, ESQ.
e.spire Communications, Inc.
Suite 200
133 National Business Parkway
Annapolis Junction, MD 20701

Attorneys for e.spire Communications, Inc.