

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning complaint of The Other Phone Company, Inc. d/b/a Access One Communications against BellSouth Telecommunications, Inc. regarding breach of resale agreement.

DOCKET NO. 990108-TP

DATED: JULY 23, 1999

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-99-0869-PCO-TP, 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. Staff will supply a tentative list of such exhibits at or prior to the Prehearing Conference.
- C. Staff's Statement of Basic Position:  
Staff takes no basic position at this time.
- D.-G. Staff's Positions on the Issues:

**ISSUE 1:** Pursuant to the Resale Agreement between Access One Communications, Inc. and BellSouth Telecommunications, Inc. and Sections 251 and 252 of the Telecommunications Act of 1996, was Access One entitled to adopt a provision from the Interconnection Agreement between BellSouth and the Telephone Company of Central Florida?

**POSITION:** Staff takes no position at this time.

**ISSUE 2:** Pursuant to the Resale Agreement between Access One Communications, Inc. and BellSouth Telecommunications,

AFA \_\_\_\_\_  
 APP \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMU \_\_\_\_\_  
 CTR \_\_\_\_\_  
 EAG \_\_\_\_\_  
 LEG \_\_\_\_\_  
 MAS 3 \_\_\_\_\_  
 OPC \_\_\_\_\_  
 RRR \_\_\_\_\_  
 SEC 1 \_\_\_\_\_  
 WAW \_\_\_\_\_  
 OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

08744 JUL 23 99

FPSC-RECORDS/REPORTING

Inc. and Sections 251 and 252 of the Telecommunications Act of 1996, did BellSouth initiate the solicitation of a customer who has switched service from BellSouth to Access One within the first month that the customer switched to Access One? If so, should BellSouth be allowed to continue to do so?

POSITION: Staff takes no position at this time.

ISSUE 3: Pursuant to the Resale Agreement between Access One Communications, Inc. and BellSouth Telecommunications, Inc. and Sections 251 and 252 of the Telecommunications Act of 1996, has BellSouth provided to Access One the required notification of customers' changes of local service providers?

POSITION: Staff takes no position at this time.

ISSUE 4: Pursuant to the Resale Agreement between Access One Communications, Inc. and BellSouth Telecommunications, Inc. and Sections 251 and 252 of the Telecommunications Act of 1996, is BellSouth required to offer the same repair options to Access One customers that BellSouth offers to its own customers? If so, has BellSouth complied with the requirement?

POSITION: Staff takes no position at this time.

ISSUE 5: Pursuant to the Resale Agreement between Access One Communications, Inc. and BellSouth Telecommunications, Inc. and Sections 251 and 252 of the Telecommunications Act of 1996, what relief, if any, is Access One entitled?

POSITION: Staff takes no position at this time.

#### H. Stipulation

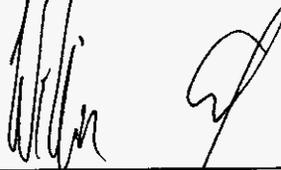
Staff believes that the parties may have reached a stipulation with regard to Issue 4. Staff would support the Commission's approval of this stipulation.

STAFF'S PREHEARING STATEMENT  
DOCKET NO. 990108-TP  
PAGE 3

I. Pending Motions:

Staff has no pending motions at this time.

RESPECTFULLY SUBMITTED,



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WILLIAM P. COX  
Staff Counsel

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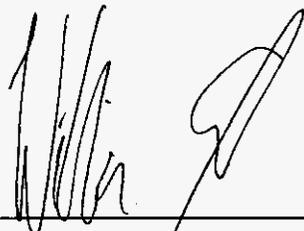
FILED: JULY 23, 1999

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Staff's  
Prehearing Statement has been furnished by U.S. Mail this 23rd day  
of June, 1999, to the following:

Nancy B. White, Esquire  
c/o Ms. Nancy H. Sims  
BellSouth Telecommunications,  
Inc.  
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Suite 400  
Tallahassee, FL 32301

Robert W. Turken, Esquire  
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