

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning complaint of Orlando Telephone Company regarding enforcement of interconnection agreement with Sprint-Florida, Incorporated.

DOCKET NO. 990884-TP

FILED: DECEMBER 6, 1999

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-99-1803-PCO-TP issued September 16, 1999, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

None

b. All Known Exhibits

None.

c. Staff's Statement of Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

d. Staff's Position on the Issues

ISSUE 1: Is the complaint filed by Orlando Telephone Company premature in light of the March 15, 1999 letter agreement and the pending proceeding(s) at the FCC?

Position:

Staff takes no position at this time.

AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG \_\_\_\_\_  
MAG 3 \_\_\_\_\_  
OPC \_\_\_\_\_  
RPR \_\_\_\_\_  
SEC 1 \_\_\_\_\_  
WPK \_\_\_\_\_  
OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

14853 DEC-6 99

FPSC-RECORDS/REPORTING

ISSUE 2: What is the legal significance, if any, of the fact that Orlando Telephone Company had no terminating access rates on file with the FCC at the time of execution of the interconnection agreement?

Position:

Staff takes no position at this time.

ISSUE 3: (a) Does the interconnection agreement between Orlando Telephone Company and Sprint govern the compensation relationship between Orlando Telephone Company and Sprint?

(b) If so, what should be the terminating access rate that Sprint is required to use to compute payments to Orlando Telephone Company for termination of interstate long distance calls through Remote Call Forwarding, during the period of February 1998 through November 1998?

Position:

Staff takes no position at this time.

ISSUE 4: Does a "bona fide dispute" pursuant to section XVI.B.1. at page 35 of the Agreement exist between Sprint and Orlando Telephone Company?

Position:

Staff takes no position at this time.

ISSUE 5: What relief, if any, is Orlando Telephone Company entitled to?

Position:

Staff takes no position at this time.

e. Pending Motions

None.

f. Pending Confidentiality Claims or Requests

None.

g. Compliance with Order No. PSC-99-1803-PCO-TP.

Staff has complied with all requirements of the Order Establishing Procedure entered in this docket.

Respectfully submitted this 6th day of December, 1999.

*Diana W. Caldwell*

DIANA W. CALDWELL  
Staff Counsel

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CERTIFICATE OF SERVICE

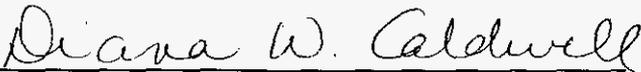
I HEREBY CERTIFY that a copy of Staff's Prehearing Statement  
has been furnished by U.S. Mail this 6th day of December, 1999, to  
the following:

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