

BEFORE THE STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

Complaint of ITC^DeltaCom Communications, Inc.)
Against BellSouth Telecommunications, Inc., for)
Breach of Interconnection Terms, and Request)
For Immediate Relief)

Docket No. 991946-TP

MOTION OF ITC^DELTACOM
COMMUNICATIONS, INC. TO CONSOLIDATE GLOBAL NAPS AND
ITC^DELTACOM COMPLAINTS

COMES NOW ITC^DeltaCom Communications, Inc. ("ITC^DeltaCom") by its undersigned counsel, and hereby moves to consolidate its Complaint with the Complaint filed by Global Naps in Docket No. 991267-TP. In support of the Motion to Consolidate, ITC^DeltaCom respectfully states as follows:

1. Global Naps, Inc., ("Global Naps") filed a Complaint against BST on August 31, 1999 for Enforcement of Section VI(B) of the Interconnection Agreement.
ITC^DeltaCom filed a Petition to Intervene in Docket No. 991267-TP on November 12, 1999 which has not been ruled upon by the Commission as of the date of this filing.
2. Global Naps **adopted** ITC^DeltaCom's Interconnection Agreement with BellSouth Telecommunications, Inc. ("BST"), pursuant to Section 252 (i) of the Telecommunications Act of 1996.¹ Thus, the language contained in the Global Naps and ITC^DeltaCom Interconnection Agreements is the same because

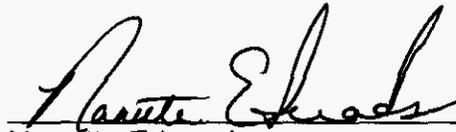
¹ See Complaint of Global Naps, Inc., Against BellSouth Telecommunications, Inc., for Enforcement of Section VI(B) of its Interconnection Agreement with BellSouth Telecommunications, Inc., and Request for Relief filed

Section 252(i) allows ALEC to adopt an Interconnection Agreement that is on file and approved by the Commission.

3. Whether reciprocal compensation applies to ISP-bound traffic as defined by the Interconnection Agreement is the issue in dispute for both Complaints. Thus, the same contract language and the same question of law underlying the dispute between Global Naps and BellSouth is the subject of ITC^DeltaCom's Complaint.
4. By consolidating the Complaints, Commission staff and resources will be more efficiently utilized as well as the Parties' resources. Judicial economy dictates that where the same contract language is at issue, only one proceeding is necessary.
5. Should the Commission decide to consolidate the Complaints, ITC^DeltaCom is willing to accept the current hearing date of January 25, 1999 and suggests that direct testimony be filed on December 27, 1999 and file rebuttal testimony and prehearing statements by January 3, 1999. ITC^DeltaCom understands that Global Naps supports ITC^DeltaCom's Motion for Consolidation.

WHEREFORE, ITC^DeltaCom respectfully requests that the Commission grant its Motion to Consolidate the Global Naps and ITC^DeltaCom Complaints against BellSouth Telecommunications, Inc.

Respectfully submitted,



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Counsel for ITC^DeltaCom Communications,
Inc.

Dated: December 14, 1999

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Intervene of ITC^DeltaCom Communications, Inc., d/b/a ITC^DeltaCom was furnished by U.S. Mail, Certified Return Receipt Requested, this 16th day of December, 1999, to

Nancy White
General Counsel
BellSouth Telecommunications, Inc.,
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301



Nanette S. Edwards