

# AUSLEY & MCMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET  
P.O. BOX 391 (ZIP 32302)  
TALLAHASSEE, FLORIDA 32301  
(850) 224-9115 FAX (850) 222-7560

February 16, 2000

RECEIVED-FPSC  
00 FEB 16 PM 1:34  
RECORDS AND REPORTING

**BY HAND DELIVERY**

**ORIGINAL**

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

Re: Docket No. 990649-TP

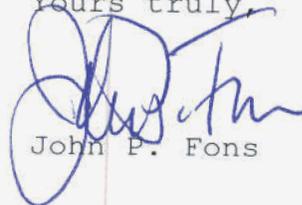
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Sprint's Response to BellSouth Telecommunications, Inc.'s Motion to Include Issues In Issues List.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Yours truly,



John P. Fons

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

Enclosures

cc: All parties of record

\\ausley\_law\_2\vol1\data\jpf\utd\990649.byo.doc

**RECEIVED & FILED**

**FPSC-BUREAU OF RECORDS**

DOCUMENT NUMBER-DATE

**02095 FEB 16 8**

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into  
pricing of unbundled network  
elements

---

DOCKET NO. 990649-TP  
FILED: February 16, 2000

**SPRINT'S RESPONSE TO BELL SOUTH TELECOMMUNICATIONS,  
INC.'S MOTION TO INCLUDE ISSUES IN ISSUES LIST**

Sprint-Florida, Incorporated and Sprint Communications Company, Limited Partnership (collectively "Sprint") hereby respond to the Motion of BellSouth Telecommunications, Inc. ("BellSouth") to Include Issues in Issue List ("Motion"), stating as follows:

1. This docket is a generic proceeding to establish the recurring prices and non-recurring charges (both averaged and deaveraged) for a FCC-mandated list of unbundled network elements ("UNEs") and UNE combinations. See FCC Third Report and Order, FCC 99-238, CC Docket No. 96-98, released November 5, 1999. Although the FCC's Third Report and Order does not address collocation, it is clear that collocation is an element that needs to be provided to new entrants in accordance with the 1996 Federal Act and the FCC's rules. See FCC Rules §§ 51.321-323.

2. The Commission has recently completed hearings on collocation issues, but has yet to issue its order. From Sprint-Florida's standpoint, the appropriate manner in which to comply with the 1996 Federal Act and the FCC's rules is by filing a

DOCUMENT NUMBER-DATE

02095 FEB 16 8

FPSC-RECORDS/REPORTING

Florida-specific intrastate collocation tariff which includes the requisite terms, conditions and prices. Sprint-Florida has filed such a tariff. However, it would serve no purpose for Sprint-Florida to cost and price new collocation arrangements until the Commission sets the policy for such arrangements. At this time, Sprint-Florida has had no requests for such new collocation arrangements. In the meantime, if the Commission agrees to allow the inclusion of BellSouth's collocation issues in this proceeding, Sprint-Florida should be exempted from having to respond to these BellSouth issues. Moreover, the Commission should not in that event set collocation prices for Sprint-Florida in this proceeding. Sprint will revise its tariff once the Commission sets the policy.

3. From Sprint Communications Company, Limited Partnership's standpoint, the Commission should promptly establish the terms, conditions and prices of collocation applicable to BellSouth. In fact, Sprint Communications Company, Limited Partnership is not opposed to including those issues in this proceeding. However, if the Commission elects to grant BellSouth's Motion, Sprint Communications Company, Limited Partnership would urge the Commission to set the BellSouth collocation issues as separate issues with applicability only to BellSouth. Any incumbent local exchange company with an approved

collocation tariff on file with this Commission, such as Sprint-Florida, should be exempt from having to respond to the BellSouth-specific issues or run the risk of having new prices imposed in this proceeding.

DATED this 16<sup>th</sup> day of February, 2000.

Respectfully submitted,

CHARLES J. REHWINKEL  
Sprint-Florida, Inc.  
P. O. Box 2214  
Tallahassee, Florida 32316  
(850) 847-0244

and



---

JOHN P. FONS  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, Florida 32302  
(850) 224-9115

ATTORNEYS FOR SPRINT

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U. S. Mail or hand delivery (\*) this 16<sup>th</sup> day of February 2000, to the following:

Beth Keating \*  
Division of Legal Services  
Florida Public Service Comm.  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Rhonda P. Merritt  
AT&T  
101 N. Monroe Street, Suite 700  
Tallahassee, FL 32301-1549

Christopher V. Goodpastor  
Covad Communications Company  
9600 Great Hills Trail  
Suite 150 W  
Austin, TX 78759

Michael A. Gross  
Florida Cable Telecommunications  
Assoc., Inc.  
310 N. Monroe Street  
Tallahassee, FL 32301

Florida Digital Network, Inc.  
390 N. Orange Avenue, Suite 2000  
Orlando, FL 32801

Kimberly Caswell  
GTE Florida Incorporated  
P. O. Box 110, FLTC0007  
Tampa, FL 33601-0110

Richard Melson/Gabriel E. Nieto  
Hopping Law Firm  
P. O. Box 6526  
Tallahassee, FL 32314

Nancy B. White  
BellSouth Telecommunications  
150 S. Monroe St., Suite 400  
Tallahassee, FL 32301-1556

Jeremy Marcus/Kristin Smith  
Blumenfeld & Cohen  
1625 Massachusetts Ave., NW  
Suite 300  
Washington, DC 20036

James Falvey  
e.spire Communications  
133 National Business Pkwy.  
Suite 200  
Annapolis Junction, MD 20701

Florida Competitive Carriers  
Assoc.  
Post Office Box 10967  
Tallahassee, FL 32302

Angela Green  
General Counsel  
FPTA  
125 S. Gadsden Street, #200  
Tallahassee, FL 32301-1525

Bruce May  
Holland & Knight Law Firm  
P. O. Drawer 810  
Tallahassee, FL 32302

Scott Sappersteinn  
Intermedia Communications, Inc.  
3625 Queen Palm Drive  
Tampa, FL 33619-1309

John McLaughlin  
KMC Telecom, Inc.  
Suite 170  
3025 Breckinridge Blvd.  
Duluth, GA 30096

Donna C. McNulty  
MCI WorldCom  
325 John Knox Road, Suite 105  
Tallahassee, FL 32303-4131

J. Jeffry Wahlen  
Ausley & McMullen  
P. O. Box 391  
Tallahassee, FL 32302

Stephen C. Reilly  
Office of Public Counsel  
111 W. Madison Street, Room 812  
Tallahassee, FL 32399-1400

Monica Barone  
Sprint Communications Company  
3100 Cumberland Circle  
Mailstop GAATLN0802  
Atlanta, GA 30339

David Dimlich  
Supra Telecomm. and Information  
2620 S.W. 27<sup>th</sup> Avenue  
Miami, FL 33133-3001

Laura L. Gallagher, P.A.  
MediaOne  
204 S. Monroe Street, Suite 201  
Tallahassee, FL 32301

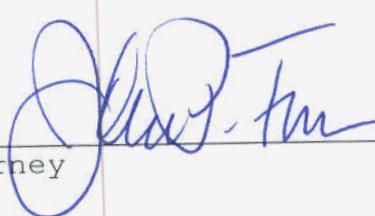
Brian Sulmonetti  
MCI WorldCom, Inc.  
Concourse Corporate Center Six  
Six Concourse Parkway, Suite 3200  
Atlanta, GA 30328

Glenn Harris  
NorthPoint Communications, Inc.  
222 Sutter Street, 7<sup>th</sup> Floor  
San Francisco, CA 94108

Peter M. Dunbar/Marc W. Dunbar  
P. O. Box 10095  
Tallahassee, FL 32302

Bettye Willis  
ALLTEL Corporate Services, Inc.  
One Allied Drive  
Little Rock, AR 72202

Eric J. Branfman/Morton Posner  
Swidler & Berlin Law Firm  
3000 K Street, NW #300  
Washington, DC 20007-5116

  
\_\_\_\_\_  
Attorney