

LAW OFFICES
MESSER, CAPARELLO & SELF
A PROFESSIONAL ASSOCIATION

ORIGINAL

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

February 28, 2000

BY HAND DELIVERY

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

RECEIVED-PPSC
00 FEB 28 PM 3:08
RECORDS AND REPORTING

Re: Docket 990994-TP

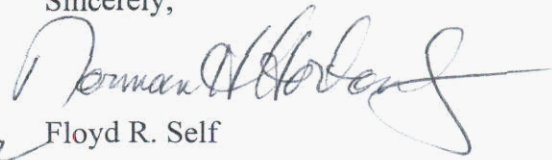
Dear Ms. Bayo:

Enclosed for filing is a copy of a letter to Mr. William D. Talbott requesting that this docket be deferred from the February 29, 2000 Agenda Conference. A copy of this letter has been hand delivered to each of the people listed on the last page and a copy has been mailed to the interested persons in this docket.

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,

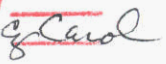

Floyd R. Self

RECEIVED & FILED


PPSC-BUREAU OF RECORDS

FRS/amb
Enclosure
cc: Interested Persons

FA
PP
AF
MU
TR
AG
EG
IAS
PC
RR
EC
AW
TH



DOCUMENT NUMBER-DATE

02640 FEB 28 00

PPSC-RECORDS/REPORTING

LAW OFFICES
MESSER, CAPARELLO & SELF
A PROFESSIONAL ASSOCIATION

ORIGINAL

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

February 28, 2000

BY HAND DELIVERY

Mr. William D. Talbott
Executive Director
Florida Public Service Commission
2540 Shumard Oak
Tallahassee, Florida 32399-0850

RECEIVED - FPSC
00 FEB 28 PM 3:08
RECORDS AND
REPORTING


RE: Request for Deferral,
Item 2A, Docket No. 990994-TP, Proposed Billing Rule Revisions

Dear Mr. Talbott:

I am writing this letter on behalf of AT&T, Florida Competitive Carriers Association, GTE, Intermedia, MediaOne, MCI WorldCom, and Sprint to request that the Commission defer from the February 29, 2000 Agenda Conference Item 2A, in Docket No. 990994-TP. As you know, the Commission Staff has met several times over the last few weeks in an attempt to resolve as many differences as possible in the proposed rule. However, adding this item as a "late filing" for tomorrow's Agenda Conference fails to provide reasonable notice and represents an incomplete rule that is not yet ready for Commission action. Because the subject matter of the rules addressed by this Staff Recommendation involves billing systems, the participants in this process must be provided the opportunity to resolve their differences and conclude the drafting process. Friday's Staff Recommendation makes this extremely problematic.

As you know, after the February 1, 2000, deferral of an earlier draft of the rules, the Staff promptly held a workshop on February 11, 2000. At that workshop, billing experts from the companies provided assistance in helping the Staff understand the impact of the earlier draft on the companies. On the basis of the discussion that day, considerable progress was made in narrowing problems in the language of that draft. At the end of the workshop, the Staff recognized the need for additional work, and set February 25, 2000 as the date by which interested persons could file comments. On the basis of these comments, a further revised draft was to be prepared and submitted for consideration at a final workshop in March.

RECEIVED & FILED


FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

02640 FEB 28 8

FPSC-RECORDS/REPORTING

Mr. William D. Talbott
February 28, 2000
Page 2

Notwithstanding this clear statement of the process to be undertaken, on Tuesday, February 22, 2000, the Staff notified those who attended the February 11th workshop that there would be a meeting the following day to discuss a new rule draft, even though comments had not yet been filed on the earlier draft.

During this Wednesday meeting, Staff took verbal responses to the February 22nd draft. In doing so, they recognized that many of the company representatives were unable to offer meaningful comments, or any comments at all in some cases, because the relevant company people had been unable to review or respond to the draft received less than 24 hours earlier. Moreover, during the Wednesday meeting, the Staff announced that a recommendation with a new draft would be filed later in the week for consideration at the February 29, 2000 Agenda Conference. In view of this changed schedule, the Staff acknowledged that the submission of the February 25th comments would be unnecessary.

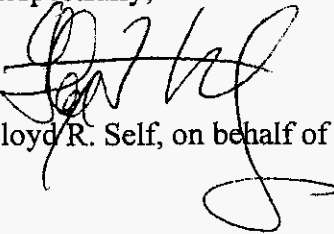
The Staff Recommendation now scheduled as Item 2A that includes the latest rule draft proposal was finally filed at noon last Friday. The first notice the participants in this docket had of the filing of the Staff Recommendation was in a 3:15 p.m. Friday afternoon email that included the recommendation and rule language as attachments. Because of the lateness in the day, this means that while the Staff Recommendation and rule draft were available late Friday to those sent the e-mail, some carriers did not have actual notice until today, and some of the other interested persons probably still do not know that this has been scheduled for action tomorrow.

We believe that the premature filing of this Staff Recommendation cuts short the expectations of the interested members of the industry who were relying on the process established by Staff in this docket to reconcile, where possible, the differences in the proposed language. Staff and interested members of the industry have been working together diligently to accommodate the different views. Moreover, the filing of this latest rule draft just two business days before the Agenda Conference fails to provide all interested persons with the time they need to seek meaningful input from their companies, which is a prerequisite for participation in the Agenda Conference. Further, it is very likely that some interested persons, in reliance on the earlier representations, may not even receive the recommendation prior to the Agenda Conference or know that they should be looking for it. There are no circumstances that compel the Commission to consider this item on the February 29, 2000 Agenda Conference without providing reasonable notice to all interested persons.

Mr. William D. Talbott
February 28, 2000
Page 3

Accordingly, on behalf of the above indicated carriers, we respectfully request that Item 2A be deferred from the February 29, 2000 Agenda Conference until after the conclusion of the final March workshop so that the process established and announced by Staff can be completed, and so that all interested persons can be provided reasonable notice of the Commission's consideration of this item at a subsequent Agenda Conference. If you need any additional information about this matter, please let me know.

Respectfully,

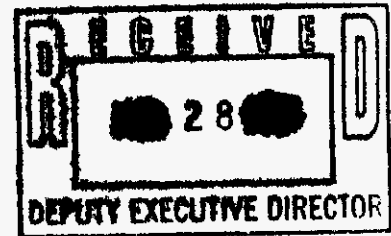


Floyd R. Self, on behalf of the above carriers

cc: The Honorable Joe A. Garcia, Chairman
The Honorable J. Terry Deason, Commissioner
The Honorable Susan F. Clark, Commissioner
The Honorable E. Leon Jacobs, Commissioner
The Honorable Lila Jaber, Commissioner
Ms. Mary Bane
Mr. Walter D'Haeseleer
Ms. Sally Simmons
Cathy Bedell, Esq.
Noreen Davis, Esq.
Beth Keating, Esq.
Diana Caldwell, Esq.
Ms. Ann Causseaux
Ms. Christine Romig
Interested Persons in Docket No. 990994-TP

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



February 28, 2000

BY HAND DELIVERY

Mr. William D. Talbott
Executive Director
Florida Public Service Commission
2540 Shumard Oak
Tallahassee, Florida 32399-0850

RE: Request for Deferral,
Item 2A, Docket No. 990994-TP, Proposed Billing Rule Revisions

Dear Mr. Talbott:

I am writing this letter on behalf of AT&T, Florida Competitive Carriers Association, GTE, Intermedia, MediaOne, MCI WorldCom, and Sprint to request that the Commission defer from the February 29, 2000 Agenda Conference Item 2A, in Docket No. 990994-TP. As you know, the Commission Staff has met several times over the last few weeks in an attempt to resolve as many differences as possible in the proposed rule. However, adding this item as a "late filing" for tomorrow's Agenda Conference fails to provide reasonable notice and represents an incomplete rule that is not yet ready for Commission action. Because the subject matter of the rules addressed by this Staff Recommendation involves billing systems, the participants in this process must be provided the opportunity to resolve their differences and conclude the drafting process. Friday's Staff Recommendation makes this extremely problematic.

As you know, after the February 1, 2000, deferral of an earlier draft of the rules, the Staff promptly held a workshop on February 11, 2000. At that workshop, billing experts from the companies provided assistance in helping the Staff understand the impact of the earlier draft on the companies. On the basis of the discussion that day, considerable progress was made in narrowing problems in the language of that draft. At the end of the workshop, the Staff recognized the need for additional work, and set February 25, 2000 as the date by which interested persons could file comments. On the basis of these comments, a further revised draft was to be prepared and submitted for consideration at a final workshop in March.

2640-00
2/28/00

Mr. William D. Talbott
February 28, 2000
Page 2

Notwithstanding this clear statement of the process to be undertaken, on Tuesday, February 22, 2000, the Staff notified those who attended the February 11th workshop that there would be a meeting the following day to discuss a new rule draft, even though comments had not yet been filed on the earlier draft.

During this Wednesday meeting, Staff took verbal responses to the February 22nd draft. In doing so, they recognized that many of the company representatives were unable to offer meaningful comments, or any comments at all in some cases, because the relevant company people had been unable to review or respond to the draft received less than 24 hours earlier. Moreover, during the Wednesday meeting, the Staff announced that a recommendation with a new draft would be filed later in the week for consideration at the February 29, 2000 Agenda Conference. In view of this changed schedule, the Staff acknowledged that the submission of the February 25th comments would be unnecessary.

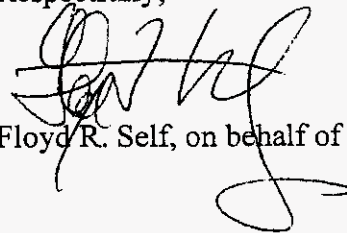
The Staff Recommendation now scheduled as Item 2A that includes the latest rule draft proposal was finally filed at noon last Friday. The first notice the participants in this docket had of the filing of the Staff Recommendation was in a 3:15 p.m. Friday afternoon email that included the recommendation and rule language as attachments. Because of the lateness in the day, this means that while the Staff Recommendation and rule draft were available late Friday to those sent the e-mail, some carriers did not have actual notice until today, and some of the other interested persons probably still do not know that this has been scheduled for action tomorrow.

We believe that the premature filing of this Staff Recommendation cuts short the expectations of the interested members of the industry who were relying on the process established by Staff in this docket to reconcile, where possible, the differences in the proposed language. Staff and interested members of the industry have been working together diligently to accommodate the different views. Moreover, the filing of this latest rule draft just two business days before the Agenda Conference fails to provide all interested persons with the time they need to seek meaningful input from their companies, which is a prerequisite for participation in the Agenda Conference. Further, it is very likely that some interested persons, in reliance on the earlier representations, may not even receive the recommendation prior to the Agenda Conference or know that they should be looking for it. There are no circumstances that compel the Commission to consider this item on the February 29, 2000 Agenda Conference without providing reasonable notice to all interested persons.

Mr. William D. Talbott
February 28, 2000
Page 3

Accordingly, on behalf of the above indicated carriers, we respectfully request that Item 2A be deferred from the February 29, 2000 Agenda Conference until after the conclusion of the final March workshop so that the process established and announced by Staff can be completed, and so that all interested persons can be provided reasonable notice of the Commission's consideration of this item at a subsequent Agenda Conference. If you need any additional information about this matter, please let me know.

Respectfully,



Floyd R. Self, on behalf of the above carriers

cc: The Honorable Joe A. Garcia, Chairman
The Honorable J. Terry Deason, Commissioner
The Honorable Susan F. Clark, Commissioner
The Honorable E. Leon Jacobs, Commissioner
The Honorable Lila Jaber, Commissioner
Ms. Mary Bane
Mr. Walter D'Haeseleer
Ms. Sally Simmons
Cathy Bedell, Esq.
Noreen Davis, Esq.
Beth Keating, Esq.
Diana Caldwell, Esq.
Ms. Ann Causseaux
Ms. Christine Romig
Interested Persons in Docket No. 990994-TP

*On February 1, at agenda,
The Commissioners deferred
this item to the 2/29
agenda. Staff are prepared
to move forward.
MBB*