

1 APPEARANCES:

2 **DAVID B. ERWIN**, 127 Riversink Road,
3 Crawfordville, Florida 32327, appearing on behalf of
4 Orlando Telephone Company

5 **CHARLES J. REHWINKEL**, Sprint-Florida, Post
6 Office Box 2214, Tallahassee, Florida 32316,
7 appearing on behalf of Sprint-Florida.

8 **DIANA CALDWELL**, Florida Public Service
9 Commission, Division of Legal Services, 2540 Shumard
10 Oak Boulevard, Tallahassee, Florida 32399-0870,
11 appearing on behalf of the Commission Staff.

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P R O C E E D I N G S

COMMISSIONER DEASON: Call the prehearing conference to order. Could I have the notice read, please.

MS. CALDWELL: Notice has been given of this prehearing conference in docket number -- for a prehearing conference for this time and date in Docket Number 990884-TP, request by Orlando Telephone Company for approval of arbitration concerning complaint against Sprint Florida, Incorporated regarding enforcement of interconnection agreement.

COMMISSIONER DEASON: Appearances.

MR. REHWINKEL: Good morning, Commissioner. Charles J. Rehwinkel on behalf of Sprint Florida, Incorporated.

MR. ERWIN: I'm David B. Erwin on behalf of Orlando Telephone Company.

MS. CALDWELL: Diana Caldwell on behalf of the staff of the Florida Public Service Commission.

COMMISSIONER DEASON: Ms. Caldwell, are there any preliminary matters?

MS. CALDWELL: No, sir, there are not.

COMMISSIONER DEASON: Do the parties have any preliminary matters?

MR. REHWINKEL: No, sir.

1 MR. ERWIN: No, sir.

2 COMMISSIONER DEASON: Very well. My intention
3 is to proceed through the draft prehearing order, which I
4 believe we can do in short order. We will begin with
5 Section 1, conduct of proceedings; Section 2, case
6 background; Section 3, confident information; Section 4,
7 post-hearing procedures; Section 5, testimony and
8 exhibits; Section 6, order of witnesses.

9 Is there any change to the order?

10 MS. CALDWELL: Yes, Commissioner. We have
11 talked about this earlier. And Joan Seymour, instead of
12 being all, Issue Number 2 is a legal issue, so Joan
13 Seymour would be testifying to Issues 1, 3(A), 3(B), 4 and
14 5.

15 COMMISSIONER DEASON: Very well. Section 7,
16 basic positions. Any changes or corrections? Section 8,
17 issues and positions.

18 We will begin with Issue 1, changes or
19 corrections. Let me ask a question about Issue 1. I
20 noticed that under Sprint's position it is that we should
21 not be hearing this case at this time. Obviously this
22 case is set for hearing, and we are going to proceed
23 unless there is some settlement or something in the
24 meantime. I guess the question is for Sprint. I
25 understand this is your position.

1 Are you objecting to these hearings?

2 MR. REHWINKEL: Commissioner Deason, it may be
3 that we argue in our brief that one of the options the
4 Commission has is to make no decision because this case is
5 premature.

6 COMMISSIONER DEASON: So you will pursue that in
7 your brief and our staff will address that in the final
8 recommendation.

9 MR. REHWINKEL: Yes.

10 COMMISSIONER DEASON: Very well. Issue 2;
11 Issue 3(A); 3(B); Issue 4; Issue 5. I read that the
12 parties do agree as to the number of minutes in question
13 and the dollars associated with those minutes, is that
14 correct?

15 MR. REHWINKEL: That's correct, although we do
16 have a slight change to the language in the stipulation
17 section.

18 COMMISSIONER DEASON: Okay. We will get to that
19 then. But there is no change to Issue 5? Okay.

20 Section 9, exhibit list. Section 10, proposed
21 stipulations.

22 MS. CALDWELL: In Section 10, the fourth line,
23 after "paid OTC by Sprint," delete "for interstate
24 terminating access," so that sentence or the last portion
25 of that sentence would read, "and the amount paid OTC by

1 Sprint is \$59,814.74."

2 COMMISSIONER DEASON: Very well.

3 MR. ERWIN: I thought we might say the amount
4 paid OTC by Sprint to date, or something.

5 MR. REHWINKEL: That's fine.

6 MS. CALDWELL: Okay.

7 COMMISSIONER DEASON: Show that change also,
8 then.

9 MR. REHWINKEL: Mr. Erwin, would it be
10 appropriate, since there were other amounts paid, to put
11 the word relevant in front of amount?

12 MR. ERWIN: Huh. There was some intrastate
13 payments made. But since you don't want to say
14 interstate, then --

15 MR. REHWINKEL: Well, we could say the relevant
16 interstate amount paid.

17 MR. ERWIN: Yes, that would be fine.

18 MR. REHWINKEL: Okay.

19 COMMISSIONER DEASON: Does staff have any
20 objection?

21 MS. CALDWELL: No, we don't.

22 COMMISSIONER DEASON: Show then that change also
23 made. Section 11, pending motions. To my understanding
24 there are no pending motions?

25 MR. REHWINKEL: Correct.

1 COMMISSIONER DEASON: Section 12. There are no
2 requests for confidential treatment. And there are no
3 rulings that have been made or need to be made at this
4 point, is that correct?

5 MR. ERWIN: Correct.

6 MR. REHWINKEL: That's correct.

7 COMMISSIONER DEASON: Very well. Are there any
8 final matters which need to be brought before the
9 prehearing officer at this time?

10 MS. CALDWELL: None that I am aware of.

11 COMMISSIONER DEASON: Do the parties have
12 anything?

13 MR. REHWINKEL: No.

14 COMMISSIONER DEASON: Very well.

15 Thank you all for your participation and
16 cooperation; and this prehearing conference is adjourned.

17 MR. REHWINKEL: Thank you.

18 (The hearing concluded at 9:42 a.m.)

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1 STATE OF FLORIDA)

2 : CERTIFICATE OF REPORTER

3 COUNTY OF LEON)

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5 I, JANE FAUROT, RPR, Chief, FPSC Bureau of Reporting
6 FPSC Commission Reporter, do hereby certify that he
7 Prehearing Conference in Docket No. 990884-TP was heard by
8 the Florida Public Service Commission at the time and
9 place herein stated.

7

8 It is further certified that I stenographically
9 reported the said proceedings; that the same has been
10 transcribed under my direct supervision; and that this
11 transcript, consisting of 7 pages, constitutes a true
12 transcription of my notes of said proceedings.

10

11 I FURTHER CERTIFY that I am not a relative, employee,
12 attorney or counsel of any of the parties, nor am I a
13 relative or employee of any of the parties' attorney or
14 counsel connected with the action, nor am I financially
15 interested in the action.

13

DATED this 1st day of March, 2000.

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JANE FAUROT, RPR
FPSC Division of Records & Reporting
Chief, Bureau of Reporting

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