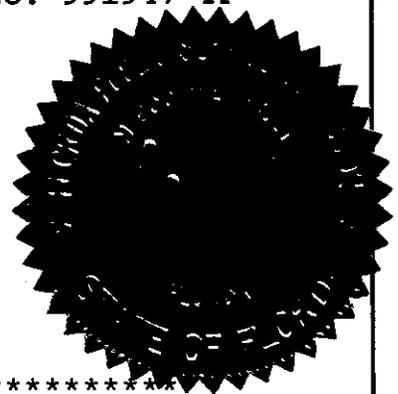


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of : DOCKET NO. 991947-TP
:
PETITION BY BELLSOUTH :
TELECOMMUNICATIONS, INC. FOR :
SECTION 252(B) ARBITRATION SEEKING: :
RESOLUTION OF CERTAIN ISSUES :
ARISING IN NEGOTIATION OF RESALE :
AGREEMENT WITH FLORIDA TELEPHONE :
SERVICES, LLC. :



*
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* AND DO NOT INCLUDE PREFILED TESTIMONY. *
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PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER E. LEON JACOBS, JR.
Prehearing Officer

DATE: Wednesday, April 26, 2000

TIME: Commenced at 10:45 a.m.
Concluded at 11:05 a.m.

PLACE: Betty Easley Conference Center
Room 152
4075 Esplanade Way
Tallahassee, Florida

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

1 APPEARANCES:

2 E. EARL EDENFIELD, JR., BellSouth
3 Telecommunications, Inc., c/o Nancy Sims, 150 South
4 Monroe Street, Suite 400, Tallahassee, Florida
5 32301, appearing on behalf of BellSouth
6 Telecommunications, Inc.

7 PAUL B. JOACHIM of Florida Telephone
8 Services, LLC 696 East Altamonte Suite 4, Altamonte
9 Springs, Florida 32701 appearing on behalf of
10 Florida Telephone Services, LLC.

11 BETH KEATING, Florida Public Service
12 Commission, Division of Legal Services, 2540
13 Shumard Oak Boulevard, Tallahassee, Florida 32399,
14 appearing on behalf of the Commission Staff.

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P R O C E E D I N G S

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COMMISSIONER JACOBS: Let's call the hearing to order.

Counsel, read the notice.

MS. KEATING: By notice issued April 3rd, 2000 and revised on April 25th, 2000, this time and place have been set for a prehearing conference in Docket Number 991947-TP. The purpose is as set forth in the notice.

COMMISSIONER JACOBS: We will take appearances.

MR. EDENFIELD: Kip Edenfield on behalf of BellSouth Telecommunications, Inc.

MR. JOACHIM: Paul Joachim on behalf of Florida Telephone Services.

MS. KEATING: And Beth Keating on behalf of Commission staff.

COMMISSIONER JACOBS: Okay. I understand there are some preliminary matters that we need to address, Counsel. Would you go over those.

MS. KEATING: Yes, Commissioner, actually there are. On March 30th, which was the date for filing rebuttal testimony and prehearing statements, Florida Telephone Services filed direct testimony and a memorandum in support of a motion for summary judgment. I do want to point out that Florida Telephone did not actually file a motion along with that memorandum, they simply filed the

1 memorandum.

2 Thereafter, on April 12th, BellSouth filed a
3 motion to strike and a response to the motion for summary
4 judgment, and they asked that Florida Telephone Services'
5 direct testimony be stricken as well as the memorandum in
6 support of its motion for summary judgment.

7 They also pointed out that Florida Telephone had
8 not filed a timely prehearing statement. And in
9 accordance with the order establishing procedure, failure
10 to file a prehearing statement constitutes a waiver of the
11 party's position on the issues, and a waiver of their
12 right to file testimony.

13 However, Florida Telephone did file a prehearing
14 statement. That was, however, on April 18th. And we just
15 wanted to bring those to your attention. And I would
16 suggest that you take up the motion to strike first.

17 COMMISSIONER JACOBS: Very well. Mr. Edenfield.

18 MR. EDENFIELD: Thank you, Commissioner Jacobs.
19 BellSouth filed a motion to strike basically as to two
20 things that were filed by Florida Telephone Services. One
21 of which is the direct testimony of Mr. Joachim. The
22 other is as to what appears to be styled as a motion for
23 summary judgment.

24 At this point, I'm not real sure whether Florida
25 Telephone Services is actually seeking summary judgment in

1 this case. To the extent that they are, the memorandum
2 that was filed lacks all the fundamental requirements of a
3 motion for summary judgment under Florida law. It does
4 not allege that there are no material issues of fact in
5 dispute. It does not allege that they are entitled to
6 judgment as a matter of law. In fact, what it appears to
7 be is nothing more than direct testimony as to the issue
8 of whether BellSouth is actually entitled to recover OSS
9 costs in this proceeding.

10 Obviously BellSouth has a different position on
11 that. There is record evidence of BellSouth's position on
12 that. And, in short, Florida Telephone, if they are
13 seeking summary judgment, it should be denied.

14 We can take these one at a time or I can do as
15 to the direct testimony as well now.

16 COMMISSIONER JACOBS: Why don't we do both.

17 MR. EDENFIELD: Okay. As to the direct
18 testimony, you had entered an order establishing procedure
19 in this docket which required direct testimony to be filed
20 on March the 9th. Obviously, by way of background,
21 Florida Telephone did not file an answer to the petition
22 for arbitration. They did not file the direct testimony
23 timely. They filed what has been styled as direct
24 testimony on the 27th of March, which is some two weeks
25 thereabouts, two weeks thereabouts after the date

1 established in the order establishing procedure.

2 Clearly under the order establishing procedure a
3 party is required to file the direct testimony, as all
4 testimony, timely. It is undisputed that they actually
5 did not file it timely, so therefore BellSouth has moved
6 to strike that testimony.

7 MR. JOACHIM: May I say something, Commissioner?

8 COMMISSIONER JACOBS: Mr. Joachim?

9 MR. JOACHIM: Yes.

10 COMMISSIONER JACOBS: I'm going to allow you to
11 respond in a moment. If you would, just hold your
12 comments, but we will be happy to hear what your response
13 is, though.

14 MR. EDENFIELD: I understand that they did file
15 the direct testimony, it would be considered timely had it
16 been rebuttal testimony. But the problem with that is the
17 large majority of what they have filed as direct testimony
18 is not in response to anything BellSouth has filed.

19 The problem at this point is we did not know
20 what their position has been because they never filed a
21 response to the petition. We are just now finding out
22 what their position is. And the date for us to file
23 rebuttal to that testimony passed after -- actually before
24 we received the testimony. So at this point we are left
25 with what appears to be positions taken by Florida

1 Telephone Services that BellSouth is not able to respond
2 to. And that is the basis for our motion.

3 COMMISSIONER JACOBS: Okay. Very good.

4 Mr. Joachim.

5 MR. JOACHIM: Yes.

6 COMMISSIONER JACOBS: It is my understanding
7 that you do not have -- retained counsel representing you?

8 MR. JOACHIM: That is correct. And I would like
9 to respond to some of those comments made by BellSouth, if
10 I may.

11 COMMISSIONER JACOBS: Okay. That will be fine,
12 but let me first make sure you understand the proceedings
13 that we are involved in now. As you are aware, this is
14 essentially an administrative law matter.

15 MR. JOACHIM: Uh-huh.

16 COMMISSIONER JACOBS: And the issue now is to
17 what extent the procedures that were set out in advance,
18 i.e., the order that established the procedures that we
19 will follow in this case were adhered to. And the essence
20 of BellSouth's allegations is that you haven't adhered to
21 those procedures and therefore you forfeited your right to
22 proceed at all.

23 MR. JOACHIM: That's what they are saying.

24 COMMISSIONER JACOBS: Okay. Now, why don't you
25 give us your response.

1 MR. JOACHIM: Yes. You are quite right, I do
2 not have counsel, I am representing myself. We are a
3 small company trying to fight a very large, you know,
4 monolithic company. And I was a little confused about,
5 you know, the terms used in terms of the type of documents
6 submitted. I, in fact, assumed that the documents I
7 submitted were in a timely manner until I was told, look,
8 you need to change the titles and submit the documents in
9 this fashion so that they are properly docketed.

10 That is why you do find the document adjusted.
11 In fact, the information is very, very similar, if not
12 identical, in the way they were filed. So, although
13 technically, yes, I might have missed a date, but it was
14 supposed to have been filed all by the due date, which was
15 the 30th. I ask that you use that information to make
16 your judgment based on this.

17 COMMISSIONER JACOBS: Okay. Now, help me
18 understand, the document that you filed that is titled,
19 "Florida Telephone Services memorandum in support of
20 motion for summary judgment," that was the very first
21 document you filed, correct?

22 MR. JOACHIM: Yes.

23 COMMISSIONER JACOBS: And your intent behind
24 that document, help me understand that. What did you hope
25 to achieve by the filing of this document, what action by

1 the Commission?

2 MR. JOACHIM: Well, I believe that a counter
3 document sent by Florida Telephone in response to
4 BellSouth's arbitration asked for arbitration as well as
5 seeking (inaudible) --

6 COMMISSIONER JACOBS: Excuse me, Mr. Joachim,
7 we have a court reporter here, and she is taking a
8 transcript of this proceeding. So we will have to ask
9 that you speak very close into your -- if you are on a
10 speaker phone, be clear in your --

11 MR. JOACHIM: I know we have a problem with this
12 line.

13 COMMISSIONER JACOBS: Yes, we will try to work
14 through that. But just speak moderately slow and very
15 close to your speaker, okay?

16 MR. JOACHIM: Okay. You are breaking up right
17 now. Can we hear me?

18 COMMISSIONER JACOBS: We can hear you okay.

19 MR. JOACHIM: Okay. Because you are very, very
20 faint.

21 COMMISSIONER JACOBS: I will try to get closer
22 to mine.

23 MR. JOACHIM: Go ahead, Commissioner.

24 COMMISSIONER JACOBS: Now, so if I can, again,
25 your filing of this memorandum in support was in response

1 to BellSouth's original petition for arbitration, is that
2 correct?

3 MR. JOACHIM: That's correct, yes.

4 COMMISSIONER JACOBS: Now, as I understand it,
5 you did file a statement that you intended to be --
6 essentially to be the basic statement of your position in
7 this document, and that was labelled as a prehearing
8 statement, is that correct?

9 MR. JOACHIM: That was the intent, yes.

10 COMMISSIONER JACOBS: Okay. Here is what we
11 will rule. I'm going to grant BellSouth's motion to
12 strike the motion for summary judgement, the memorandum in
13 support of a motion for two reasons: First of all, there
14 really was not a motion, per se, filed. And the
15 memorandum is generally a legal document, sort of a brief,
16 a mini-brief, if you will, in support of a technical
17 motion.

18 And then, lastly, that document really just
19 gives some of your positions which you have adequately
20 stated in your prehearing statement. I am denying the
21 motion as to the prehearing statement, and I am granting
22 an extension of time until whatever days it was filed
23 after the original due date is proper.

24 Now, let's move to the testimony that you filed,
25 Mr. Joachim.

1 MR. JOACHIM: Yes.

2 COMMISSIONER JACOBS: It is my understanding
3 that that testimony was filed on or about a date where we
4 call rebuttal testimony was due. Do you understand the
5 difference between what rebuttal testimony and what direct
6 testimony is?

7 MR. JOACHIM: Yes. If I understand it
8 correctly, rebuttal testimony is counteracting what
9 BellSouth has said.

10 COMMISSIONER JACOBS: Right. And BellSouth's
11 allegation is that the testimony that you filed
12 essentially was asserting your own positions in the first
13 instance as opposed to responding to theirs.

14 MR. JOACHIM: That is what BellSouth claims,
15 yes.

16 COMMISSIONER JACOBS: And what would be your
17 response to that?

18 MR. JOACHIM: Well, I was stating my position as
19 well as trying to counteract it. If it is not clear, I do
20 apologize for that. If there is something else I can do,
21 I will be happy to draw up another document. But this is
22 my position, and I think I was responding to some of their
23 charges. But if that is not clear, then I guess I will
24 have to do something else.

25 COMMISSIONER JACOBS: Here is what I'm going to

1 do. The major harm to BellSouth is that they don't have
2 an opportunity to respond to the things that you put in
3 yours because it came in in a time frame that was not
4 anticipated. I'm going to deny their motion to strike,
5 but because you said that, in essence, encompasses your
6 full statement of your position, I'm going to allow
7 BellSouth time to respond to that in writing. Now, the
8 gist of that is that you won't have an opportunity to
9 respond to what BellSouth files, do you understand?

10 MR. JOACHIM: Yes.

11 COMMISSIONER JACOBS: Okay. But I am going to
12 allow them time to respond to what you filed in writing,
13 and the benefit you get of that is that you get -- we will
14 take what you filed as your testimony. We will take it as
15 both -- is that sufficient with you, Mr. Edenfield?

16 MR. EDENFIELD: I understand the ruling. And
17 what I will do is if I could have until maybe the close of
18 business Monday to get something filed.

19 COMMISSIONER JACOBS: We will give you longer
20 than that.

21 MR. EDENFIELD: I'm not even sure that I'm going
22 to file anything yet, but --

23 MS. KEATING: Yes, staff was going to recommend
24 maybe May 8th, I think would be --

25 MR. EDENFIELD: But the hearing is set next

1 week.

2 MS. KEATING: No, I don't think -- it's not
3 until the 17th.

4 MR. EDENFIELD: Somehow I have in my mind that
5 the hearing is next week. I don't know why I have that in
6 my mind.

7 COMMISSIONER JACOBS: I think it is May 17th, as
8 well.

9 MR. JOACHIM: The 17th, isn't it, at 9:30 a.m.?

10 MR. EDENFIELD: I'm sorry. Then May 8th is
11 certainly fine.

12 MS. KEATING: Don't scare me like that.

13 MR. EDENFIELD: I just feel like I got
14 reprieved.

15 COMMISSIONER JACOBS: Okay. So that we
16 understand, if that is fine with you, that BellSouth will
17 have until May 8th to file a response.

18 Do you understand, Mr. Joachim?

19 MR. JOACHIM: Yes, I do, and that is quite okay.

20 COMMISSIONER JACOBS: Okay. That takes care of
21 the motions to strike?

22 MS. KEATING: (Indicating affirmatively.)

23 COMMISSIONER JACOBS: And the confidential, we
24 are going to leave that pending.

25 MS. KEATING: That's correct. Staff will have a

1 draft order to you, though, prior to the hearing.

2 COMMISSIONER JACOBS: Great. Very well. Any
3 other preliminary matters?

4 MS. KEATING: I do have one other thing. Staff
5 would like to revise its position on Issue 1. We can
6 either take that up now as a preliminary matter or as we
7 are going through the --

8 COMMISSIONER JACOBS: Why don't we do that when
9 we go through the issues. That would be fine.

10 Nothing else, Mr. Joachim? Preliminary matters
11 being things that haven't been resolved up to this point.

12 MR. JOACHIM: Yes, sir.

13 COMMISSIONER JACOBS: So with all of those being
14 resolved now, we will move to what we normally do at the
15 prehearing conference, and essentially that is to walk
16 through this document that is called a prehearing order
17 and make sure that there are no corrections from what has
18 been previously documented here.

19 MR. JOACHIM: Yes.

20 COMMISSIONER JACOBS: Do you have a copy of
21 that?

22 MR. JOACHIM: I do.

23 COMMISSIONER JACOBS: Okay, great. We will just
24 do that now.

25 MR. JOACHIM: This is the revised draft

1 prehearing order, correct?

2 COMMISSIONER JACOBS: Correct. What we will do
3 is go section-by-section. And no revisions to
4 appearances, I assume?

5 MR. EDENFIELD: None from BellSouth.

6 COMMISSIONER JACOBS: Okay. Section I, Conduct
7 of Proceedings. That is pretty much boilerplate. We will
8 move to Section II, Case Background. Any revisions?
9 Hearing none, we will go to Section III, Procedure for
10 Handling Confidential Information. Again, that is pretty
11 much boilerplate information.

12 MR. EDENFIELD: And, I'm sorry, Commissioner
13 Jacobs, we are going to take up the request for
14 confidential classification at a different time?

15 COMMISSIONER JACOBS: We are going to rule on it
16 by order, right?

17 MS. KEATING: That's correct. We plan on
18 preparing a draft order prior to the hearing.

19 MR. EDENFIELD: Thank you.

20 COMMISSIONER JACOBS: Section IV, post-hearing
21 procedures. Standard language, as well. As is Section V,
22 prefiled testimony and exhibits and witnesses procedures.

23 Okay. That takes us to Section VI, order of
24 witnesses. Any revisions to this?

25 MR. EDENFIELD: The only potential revision,

1 Commissioner Jacobs, will be if BellSouth decides to file,
2 I guess what would be styled as rebuttal testimony on the
3 8th of May, that would have to be added in here. More
4 than likely it would only be from Witness Varner. I don't
5 see anything in what Mr. Joachim filed that would need
6 rebuttal from Ms. Caldwell.

7 COMMISSIONER JACOBS: Very well.

8 Do you want to wait until the 8th, then, to
9 issue this? That is fine with me.

10 MS. KEATING: I can either do that or I can
11 place a notation in it to indicate --

12 MR. EDENFIELD: Either one works for me. I will
13 probably know by Friday whether I'm going to file
14 anything. If you want to wait, I will just let you know,
15 but anyway you want to handle it is fine.

16 COMMISSIONER JACOBS: Great. Next, Section VII,
17 basic positions. Any revisions to the basic position
18 here? Mr. Joachim, any revisions to your basic position?

19 MR. JOACHIM: No, there isn't.

20 COMMISSIONER JACOBS: That takes us then to
21 Issue 2.

22 MR. JOACHIM: I'm sorry, is this where the staff
23 makes their change?

24 COMMISSIONER JACOBS: In Issue 1. I'm sorry.
25 Let me strike what I just said. We are moving to Section

1 VII, issues and positions, and let's consider Issue 1, any
2 revisions there?

3 MS. KEATING: Staff would like to revise its
4 position on this issue. Previously we had taken no
5 position. However, we would like to change our position
6 as follows. Staff believes that this issue is not
7 appropriate for resolution in an arbitration proceeding.
8 Instead, staff believes that this issue should be resolved
9 in a generic proceeding after third-party testing of
10 BellSouth's Operational Support Systems is completed in
11 Dockets Numbers 981834-TP, and 960786-TL.

12 COMMISSIONER JACOBS: Okay. Now, that takes
13 care of Issue 1, if there are no other revisions, and that
14 is all the issues. Mr. Joachim.

15 MR. JOACHIM: Uh-huh.

16 COMMISSIONER JACOBS: I wanted to make sure -- I
17 know that staff has spoken with you in advance of the
18 prehearing, and you understood that they were changing
19 their position, is that correct?

20 MR. JOACHIM: She advised me of that, yes.

21 COMMISSIONER JACOBS: Okay. Now, you
22 understand -- you have full rights to proceed as you would
23 like, but you understand that their position has some
24 important implications as to the recommendation the
25 Commission will take on and vote on.

1 MR. JOACHIM: Uh-huh.

2 COMMISSIONER JACOBS: Very well. So that takes
3 us to Section IX, which is the exhibit list. And I see
4 only one here. You don't have any exhibits that you are
5 offering, Mr. Joachim?

6 MR. JOACHIM: No, I don't.

7 COMMISSIONER JACOBS: Any changes?

8 MR. EDENFIELD: Again, only to the extent one
9 may be required for rebuttal. But, again, I'm not
10 anticipating one. But I would like it reserve that just
11 in case I feel like I need one.

12 COMMISSIONER JACOBS: Okay.

13 MR. EDENFIELD: That would also be part of the
14 May 8th filing, so everybody will know in advance.

15 COMMISSIONER JACOBS: Okay. Good. Next is
16 Section X, proposed stipulation, that continues to be
17 none, I assume? And then Section XI, pending motions, we
18 dealt with the motions to strike, and the confidentiality.
19 Section XII we will deal with in an order.

20 The ruling sections will be amended, Mr.
21 Joachim, to reflect what we have done today.

22 MR. JOACHIM: Uh-huh. Can I ask you a question,
23 Commissioner?

24 COMMISSIONER JACOBS: Yes.

25 MR. JOACHIM: You had indicated the impact of

1 staff's position. Do you care to enlighten on that
2 comment that you made? I mean, as to what extent?

3 COMMISSIONER JACOBS: Here is what I want to
4 make sure you understand. Staff -- when the Commission,
5 and I think in this instance there is a panel that will
6 actually preside at the hearing and take the evidence at
7 the hearing. And then once that evidence is all taken in,
8 the staff reviews it, and then will ultimately make a
9 recommendation.

10 Without having the benefit of that evidence,
11 this is staff's preliminary review on what they will
12 recommend to the Commission. So then what might happen is
13 the evidence might be presented at the hearing that in
14 some way, form, or fashion might change. However, in this
15 instance, this is a pretty basic policy position.

16 And without prejudging this case it would appear
17 unlikely that evidence presented at this hearing would
18 cause staff to modify and so essentially what that means
19 is that staff would recommend after the hearing that we
20 defer a ruling in your case, i.e., in this particular
21 arbitration case, until we resolve issues in two other
22 dockets that we have outstanding.

23 MR. JOACHIM: I see.

24 COMMISSIONER JACOBS: Those two other dockets
25 are generic proceedings where we are looking at all

1 companies out there dealing with any ILEC, including
2 BellSouth. We are looking at policy that should be
3 implemented with regard to OSS. What OSS interfaces there
4 should be, what requirements there should be, and
5 ultimately what the cost should be that the company should
6 charge to other companies for those OSS provisions.

7 MR. JOACHIM: So, in other words, there could be
8 no resolution in the foreseeable couple of months?

9 COMMISSIONER JACOBS: I don't know exactly what
10 the timeline of those other two documents are, but I think
11 after two months is probably a reasonable guess.

12 MR. JOACHIM: I see. Okay.

13 COMMISSIONER JACOBS: Do you understand?

14 MR. JOACHIM: Yes, sir.

15 COMMISSIONER JACOBS: Okay. That is what I
16 wanted to make sure of. Now, again, you have the right to
17 proceed as you would like.

18 MR. JOACHIM: Well, in that case, can I ask
19 you -- I mean, if we are not going to go anywhere with
20 this proceeding other than to defer a ruling, isn't it
21 better to just postpone this until after the dockets have
22 been settled?

23 COMMISSIONER JACOBS: That's up to you. I
24 wouldn't want to give you my recommendation, but I would
25 think that you could consider that.

1 MR. JOACHIM: Okay. How would I go about doing
2 that? Do I make a motion at this stage?

3 COMMISSIONER JACOBS: Why don't I have you talk
4 with our staff counsel, and she can fill you in on all the
5 details that you -- if you want to do it now that is fine
6 with me or you can do it after.

7 MS. KEATING: I was just going to point out,
8 that, you know, even though this may be staff's
9 preliminary position, it may even be our post-hearing
10 position, that doesn't necessarily mean that the
11 Commission will accept it. The Commission doesn't have
12 to, or the panel doesn't have to approve staff's
13 recommendation.

14 COMMISSIONER JACOBS: I did neglect to emphasize
15 that point, I'm sorry. Even though this might be staff's
16 recommendation, Mr. Joachim, there may be a Commissioner
17 who feels like -- it would have to be a majority of the
18 Commissioners sitting on this panel, may indeed determine
19 that they want to make a decision in your case. And so
20 you need to understand that that prospect does exist.

21 MR. JOACHIM: Okay. I understand.

22 COMMISSIONER JACOBS: Why don't you take some
23 time to think about it. And if you would like to do that,
24 you have time. The hearing is not scheduled until May
25 17th. Take some time and give some thought to it. And

1 our staff counsel will be happy to chat with you about
2 what your options would be.

3 MS. KEATING: May I also suggest one other
4 thing, Commissioner. That he discuss this, as well, with
5 counsel for BellSouth, because this is, actually
6 BellSouth's --

7 COMMISSIONER JACOBS: I'm sorry, I was thinking
8 that you had filed it. I'm sorry, it would be BellSouth
9 whose option it is as to whether or not we go forward on
10 this in terms of whether or not they want to pursue their
11 petition. So why don't you discuss what your desires
12 would be once you come to that conclusion with counsel for
13 BellSouth.

14 MR. JOACHIM: Okay.

15 COMMISSIONER JACOBS: Anything else we can do
16 today? Do you understand everything we have done?

17 MR. JOACHIM: Yes, I believe I do, sir.

18 COMMISSIONER JACOBS: Okay. Anything else to
19 come before us today, Counsel?

20 MS. KEATING: None that I'm aware of.

21 COMMISSIONER JACOBS: Mr. Edenfield?

22 MR. EDENFIELD: Nothing from BellSouth.

23 COMMISSIONER JACOBS: Okay. Hearing none, then,
24 this prehearing is adjourned.

25 MS. KEATING: Thank you.

1 MR. EDENFIELD: Thank you.

2 MR. JOACHIM: Thank you, Commissioner.

3 (The prehearing conference concluded at
4 11:05 a.m.)

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1 STATE OF FLORIDA)

2 : CERTIFICATE OF REPORTER

3 COUNTY OF LEON)

4

5 I, JANE FAUROT, RPR, Chief, FPSC Bureau of
6 Reporting FPSC Commission Reporter, do hereby certify that
7 the Prehearing Conference in Docket No. 991947-TP was
8 heard by the Prehearing Officer at the time and place
9 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 23 pages, constitutes a true
12 transcription of my notes of said proceedings.

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

14 DATED THIS FIRST DAY OF MAY, 2000.

15

16



JANE FAUROT, RPR
FPSC Division of Records & Reporting
Chief, Bureau of Reporting
(850) 413-6732

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