

E. EARL EDENFIELD, Jr.
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May 3, 2000

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

Re: Docket No. 991534-TP (Intermedia)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of Pre-Hearing Statement of BellSouth Telecommunications, Inc., which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

E. Earl Edenfield Jr.
(32)

E. Earl Edenfield, Jr.

Enclosures

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

Handwritten notes and stamps on the left margin, including "Favor" and "2" written in blue ink, and a vertical stamp with the word "WAW" and other illegible characters.

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**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

ORIGINAL

In re:)
)
Request for Arbitration Concerning Complaint of) Docket No. 991534-TP
Intermedia Communications, Inc. against BellSouth)
Telecommunications, Inc. for breach of terms of)
Interconnection Agreement under Sections 251 and)
252 of the Telecommunications Act of 1996, and)
Request for relief.) Filed: May 3, 2000
)

**PRE-HEARING STATEMENT OF
BELLSOUTH TELECOMMUNICATIONS, INC.**

BellSouth Telecommunications, Inc. ("BellSouth"), in accordance with the provisions of the Order Establishing Procedure, (Order No. PSC-00-0193-PCO-TP) issued January 26, 2000, submits its Pre-hearing Statement.

Witnesses

BellSouth proposes to call the following witnesses to offer testimony on the issue in this docket, as enumerated in Appendix A of the Order Establishing Procedure:

<u>Witness</u>	<u>Issue</u>
1. Jerry Hendrix (Direct and Rebuttal)	1
2. David Scollard (Direct)	1
3. Keith Milner (Rebuttal)	1

BellSouth reserves the right to call additional witnesses, witnesses to respond to Commission inquiries not addressed in direct or rebuttal testimony and witnesses to address issues not presently designated that may be designated by the Pre-hearing Officer at the Pre-hearing

DOCUMENT NUMBER-DATE
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Conference to be held on May 18, 2000. BellSouth has listed the witnesses for whom BellSouth filed testimony, but reserves the right to supplement that list if necessary.

Exhibits

Jerry Hendrix (Direct)

JDH-1

Letter from Intermedia to BellSouth

BellSouth reserves the right to file exhibits to any testimony that may be filed under the circumstances identified above. BellSouth also reserves the right to introduce exhibits for cross-examination, impeachment, or any other purpose authorized by the applicable Florida Rules of Evidence and Rules of this Commission.

Statement of Basic Position

The issue in this docket concerns a dispute between BellSouth and Intermedia Communications, Inc. ("ICI") under the terms of their Interconnection Agreement, including an amendment dated June 3, 1998. BellSouth's interpretation of the June 3, 1998 Amendment to the Interconnection Agreement reflects the intentions and agreements of the parties and is the more consistent with Florida law. Therefore, the Florida Public Service Commission ("Commission") should sustain BellSouth's position.

BellSouth's Position on the Issues of Law and Fact

Issue 1: What is the applicable rate(s) that Intermedia and BellSouth are obligated to use to compensate each other for transport and termination of local traffic in Florida pursuant to the terms of their Interconnection Agreement approved by the Commission?

Position: On June 3, 1998, the parties executed a joint amendment to the Interconnection Agreement. Under the clear and unequivocal language of the June 3, 1998 Amendment, the parties agreed to modify, among other things, the rates at which the parties would bill each other reciprocal compensation for the exchange of local traffic. Specifically, ICI and BellSouth

modified the Interconnection Agreement to provide that, “[t]he Parties agree to bill Local traffic at the elemental rates specified in Attachment A” and, at the same time, recognized that the June 3, 1998 Amendment would “result in reciprocal compensation being paid between the Parties based on the elemental rates specified in Attachment A.” Therefore, BellSouth respectfully requests that the Commission deny ICI’s request for reciprocal compensation based on rates other than those set forth in the June 3, 1998 Amendment.

Stipulations

None.

Pending Motions

None.

Other Requirements

None.

Respectfully submitted this 3rd day of May 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.



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**CERTIFICATE OF SERVICE
Docket No. 991534-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

(*) Hand Delivery and (+) Federal Express this 3rd day of May, 2000 to the following:

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