

ORIGINAL

RECEIVED-FPSC

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

00 MAY 15 PM 4: 54

In the Matter of: )  
 Global NAPS SOUTH, INC. )  
 Petition for Arbitration of Interconnection )  
 Rates, Terms and Conditions and Related )  
 Relief of Proposed Agreement with BellSouth )  
 Telecommunications, Inc. under the )  
 Telecommunications Act of 1996 )

RECORDS AND REPORTING

Docket No. 991220-TP  
Filed May 15, 2000

PREHEARING STATEMENT OF GLOBAL NAPS, INC.

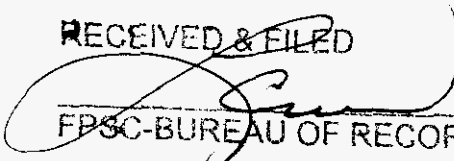
GLOBAL NAPS, INC., by and through its undersigned attorneys, hereby submits this Prehearing Statement in the above-styled proceeding.

WITNESSES TO BE CALLED BY GLOBAL NAPS, INC.

<u>Witnesses</u>	<u>Issues (by number)</u>
Fred R. Goldstein (Rebuttal)	Issues 1 through 5
William J. Rooney, Esquire (Direct and Rebuttal)	Issues 6 through 14
Dr. Lee L. Selwyn (Rebuttal)	Issues 1 through 5

EXHIBITS TO BE INTRODUCED BY GLOBAL NAPS, INC.

<u>Witness</u>	<u>Exhibit</u>	<u>Description of Exhibit</u>
AFA _____ APP _____ CAF _____ CMU _____ CTR _____ EAG _____ LEG <u>2</u> _____ MAS <u>3</u> _____ OPC _____ RRR _____ SEC <u>1</u> _____ WAW _____ OTH _____	William J. Rooney, Esq. WJR-1	Direct Testimony filed in Docket No. 991267-TP
Dr. Lee Selwyn	LLS-1	Direct and Rebuttal Testimony filed in Docket No. 991267-TP
Fred Goldstein	FG-1	Direct and Rebuttal Testimony filed in Docket No. 991267-TP

RECEIVED & FILED  
  
 FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

05992 MAY 15 8

FPSC-RECORDS/REPORTING

## **GLOBAL NAPs' BASIC POSITION**

With the exception of the need to clarify the situation regarding ISP-bound calls, the existing interconnection agreement between Global NAPs and BellSouth is reasonable, complies with the Federal Telecommunications Act of 1996, and can and should be reestablished for another two-year period of time. It is BellSouth, not Global NAPs, that wishes to make other changes, and, therefore, BellSouth should bear the burden of proof with respect to whatever changes it proposes to make to the existing agreement.

### **QUESTIONS OF FACT/LAW AT ISSUE AND GLOBAL NAPs' POSITION ON EACH**

**ISSUE 2. Should dial-up connections to an ISP (or "ISP-bound traffic") be treated as "local traffic" for purposes of reciprocal compensation under the new Global NAPs/BellSouth Interconnection Agreement or should it be otherwise compensated?**

Global NAPs' position: Dial-up connections to an ISP (ISP-bound traffic) should be treated as local traffic for reciprocal compensation purposes under the new Global NAPs/BellSouth Interconnection Agreement. Therefore, reciprocal compensation should be due for ISP-bound traffic, just as it is due for other local traffic.

**ISSUE 3. If ISP-bound traffic should be compensated, what compensation rate should apply?**

Global NAPs' Position: ISP-bound traffic should be compensated at the same compensation rate as other local traffic is compensated.

**ISSUE 4. What are the appropriate reciprocal compensation rates to be included in the new Global NAPs/BellSouth Interconnection Agreement?**

Global NAPs' Position: The parties' current reciprocal compensation rate of \$0.009 per minute is appropriate and Global NAPs sees no reason why this compensation rate should be changed. However, if BellSouth objects to the inclusion of that rate in the new interconnection agreement, then the per-minute rate should be no lower than a rate that this Commission has established based on the FCC's TELRIC methodology (e.g., an unbundled network element rate for local switching). If no such TELRIC -based rate has been established, then as a matter of Federal law, the Commission should establish a per-minute rate within the \$0.002 to \$0.004 proxy rate contained in the FCC's regulations at this point, until a fully TELRIC-compliant rate can be established.

**ISSUE 5. What is the appropriate definition of local traffic to be included in the Interconnection Agreement?**

Global NAPs' Position: Any call that is originated on one party's network, dialed by that party's customer as a local call, shall be treated as a local call between the parties for purposes of reciprocal compensation.

**ISSUE 6. What are the appropriate UNE rates to be included in the Interconnection Agreement?**

Global NAPs' Position: With the revisions addressed below, Global NAPs has no objection to including current UNE rates in its interconnection agreement with BellSouth with the understanding that if Global NAPs needs to order UNEs at some future time, it may do so at the then-prevailing rates, terms, and conditions, taking into account orders of the FCC and/or this

Commission that might not yet be fully reflected in BellSouth's standard UNE language. Revisions that should be made to the existing language of the DeltaCom/BellSouth Interconnection Agreement include deleting the first full sentence of page 4, Attachment 2 to the Agreement; also, the language on Page 16 of Attachment 2, all of Section 2.6.7.3.4. should be deleted.

**ISSUE 7. What are the appropriate collocation provisions to be included in the Interconnection Agreement?**

Global NAPs' Position: Global NAPs has no objection to including BellSouth's current language concerning collocation in its Interconnection Agreement, as long as this information is subject to updating, as described in Global NAPs' position with respect to Issue 6. That is, the parties would understand and agree that GNAPs would automatically be entitled to the then-current rates, terms, and conditions for collocation if and when Global NAPs actually requests collocation from BellSouth.

**ISSUE 8. What is the appropriate language concerning Order Processing to be included in the Interconnection Agreement?**

Global NAPs' Position: Global NAPs will accept BellSouth's normal Order Processing procedures. Also, Global NAPs has no objection to including the language in Attachment 2, Access to Network Elements and Other Services, Sections 1, 4, and 5, and in Attachment 6, Ordering and Provisioning.

**ISSUE 9. What is the appropriate language relating to conversion of exchange service to**

**network elements to be included in the Interconnection Agreement?**

Global NAPs' Position: It is Global NAPs' position that the interconnection agreement does not need to contain provisions addressing issue.

**ISSUE 10. What are the appropriate service quality measurements to be included in the Interconnection Agreement?**

Global NAPs' position: Global NAPs does not object to including BellSouth's Service Quality Measurements (SQMs), if this Commission adopts or approves such SQMs.

**ISSUE 11. What is the appropriate language relating to network information exchange to be included in the Interconnection Agreement?**

Global NAPs' Position: Global NAPs does not object to updating the language of the Interconnection Agreement concerning network information exchange, particularly concerning customer record information and the Disaster Recovery Planning for CLECs described in BellSouth's witness Varner's testimony.

**ISSUE 12. What is the appropriate language relating to maintenance and trouble resolution to be included in the Interconnection Agreement?**

Global NAPs' Position: Global NAPs does not object to including specific language

regarding the interfaces that are available to ALECs for electronic trouble reporting using BellSouth's Trouble Analysis Facilitation Interface (TAFI) and an industry standard machine-to-machine Electronic Communications Trouble Administration (ETCA) Gateway interface. Also, Global NAPs does not object to including updated language concerning service centers or specific language regarding how maintenance issues will be handled as described in Mr. Varner's testimony.

**ISSUE 13. What is the appropriate language relating to local traffic exchange to be included in the Interconnection Agreement?**

Global NAPs' Position: Global NAPs wishes to keep the existing language in the existing interconnection agreement between Global NAPs and BellSouth regarding local traffic exchange.

**ISSUE 14. What is the appropriate language relating to telephone number portability arrangements to be included in the Interconnection Agreement?**

Global NAPs Position: Global NAPs does not object to adopting updated language concerning permanent Local Number Portability (LNP), in addition to the interim Service Number Provider Portability currently included in the agreement.

**STATEMENT OF POLICY QUESTIONS AT ISSUE**

Presently, there are no policy questions at issue in this proceeding.

**STIPULATED ISSUES**

Presently, there are no issues that have been stipulated to by the parties in this proceeding.

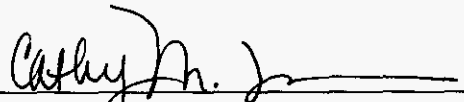
**PENDING MOTIONS OR OTHER MATTERS**

There are no pending motions or other matters in this proceeding.

**REQUIREMENTS IN PREHEARING ORDER  
THAT CANNOT BE COMPLIED WITH**

There are no procedural or other requirements set forth in the Prehearing Order in this matter with which Global NAPs cannot comply. Global Naps reserves the right to call additional witnesses or introduce additional exhibits, provide witnesses to address issues not presently identified and to call witnesses to respond to questions or issues raised by the Commission that are not addressed in prefiled testimony.

Respectfully submitted this 15<sup>th</sup> day of May, 2000.



Jon C. Moyle, Jr.  
Fla. Bar No. 727016

Cathy M. Sellers  
Fla. Bar No. 0784958

Moyle Flanigan Katz Kolins  
Raymond & Sheehan, P.A.  
118 North Gadsden Street  
Tallahassee, FL 32301  
(850) 681-3828

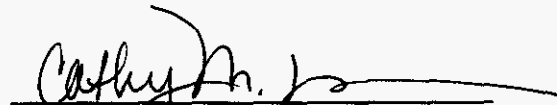
William J. Rooney, Esquire, General Counsel  
John O. Postl, Esquire, Assistant General Counsel  
Global NAPs, Inc.  
10 Merrymount Road  
Quincy, MA 02169  
(617) 507-5111

Christopher W. Savage, Esquire  
Cole, Raywid, & Braverman, L.L.P.  
1919 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006  
(202) 828-9811



**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was furnished this 15<sup>th</sup> day of May, 2000 by U.S. Mail to Nancy White, General Counsel, BellSouth Telecommunications, Inc., 150 South Monroe Street, Suite 400, Tallahassee, FL 32301, Michael P. Goggin, BellSouth Telecommunications, Inc., Museum Tower, Suite 1910, 150 West Flagler Street, Miami, FL 33130, Phil Carver, BellSouth Telecommunications, Inc., BellSouth Center, Suite 4300, 675 W. Peachtree Street, N.E., Atlanta, GA 30375, and Beth Keating, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399.

  
Cathy M. Sellers