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ORIGINAL

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DIRECTORS AND REPORTING

June 28, 2000

VIA OVERNIGHT DELIVERY

Blanca S. Bayo, Director
Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

Re: Network Telephone Corporation's Petition to Intervene into Docket No. 990649-TP

Dear Ms. Bayo:

Enclosed please find one original and fifteen (15) copies of the Petition of Network Telephone Corporation to Intervene into ongoing Docket No. 990649-TP ("Petition"). Please date stamp and return the extra copy to us in the enclosed self addressed, postage paid envelope.

Please feel free to contact me if you have any questions or require further information. Thank you very much for your immediate attention to this matter.

Sincerely,

Marc B. Rothschild
Counsel for Network Telephone Corporation

Enclosures

cc: Brent E. McMahan (w/encl.)

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07916 JUN 29 00

FPSC-RECORDS/REPORTING

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

ORIGINAL

In re: Investigation into Pricing of)
Unbundled Network Elements)
_____)

Docket No. 990649-TP

Filed: June 28, 2000

**PETITION TO INTERVENE OF
NETWORK TELEPHONE CORPORATION**

Network Telephone Corporation ("Network Telephone"), through its undersigned counsel, and pursuant to Rule 25-22.039 of the Florida Administrative Code, FLA. ADMIN. CODE. r. 25-22.039, files this Petition to Intervene in the above-captioned proceeding and states as follows:

1. Network Telephone is a certificated Competitive Local Exchange Carrier ("CLEC") pursuant to Florida Public Service Commission ("Commission") Rules.
2. As a regional integrated communications provider, Network Telephone will provide consumers in Florida a full compliment of telecommunications services, including a progressive Voice over DSL product. In order to do so, Network Telephone will be purchasing unbundled network elements ("UNEs") from BellSouth, including unbundled copper loops ("UCLS"). BellSouth, however, has proposed a UCL non-recurring charge that borders on cost-prohibitive for Network Telephone and is significantly higher than that of other incumbent local exchange carriers.
3. In this docket, the Commission intends to examine the recurring and non-recurring rates for UCLs. Any decision made by the Commission during this proceeding could substantially affect the interests of Network Telephone and its ability to conduct business in the State of Florida. As a provider of Voice over DSL services, Network Telephone is concerned that its rights and interests cannot be adequately represented

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FPSC-RECORDS/REPORTING

by any other party in this docket. Moreover, Network Telephone's participation in this docket will in no way unduly delay this proceeding.

4. All process, pleadings, notices, and correspondence should be served upon the following individuals:

Marc B. Rothschild
Robert Ridings
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW, Suite 300
Washington, DC 20007-5116
Telephone: 202/424-7755
Facsimile: 202/424-7643

with a copy to:

Brent E. McMahan
Vice President-Regulatory and Government Affairs
Network Telephone Corporation
815 South Palafox Street
Pensacola, FL 32501

WHEREFORE, Network Telephone Corporation respectfully requests that it be allowed to intervene in this proceeding.

Respectfully Submitted,



Marc B. Rothschild
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007-5116
Telephone: 202/424-7755
Facsimile: 202/424-7643

Counsel for Network Telephone Corporation

Dated: June 28, 2000

CERTIFICATE OF SERVICE

I, **Robert Ridings**, **HEREBY CERTIFY** that on the 28th day of June, 2000, a copy of the foregoing Petition to Intervene of Network Telephone Corporation in Docket No. 990649-TP was served, via first-class mail, on the following parties:

- ACI Corp.
7337 S. Revere Parkway
Englewood, CO 80112
Phone: (303) 476-4200
Fax: (303) 476-4201
- ALLTEL Communications Services, Inc.
One Allied Drive
Little Rock, AR 72203-2177
Phone: (501) 905-7085
Represented by: Ausley Law Firm
- AT&T Communications of the Southern States, Inc.
Ms. Rhonda P. Merritt
101 North Monroe Street, Suite 700
Tallahassee, FL 32301-1549
Phone: (850) 425-6342
Fax: (850) 425-6361
- Ausley Law Firm
Jeffrey Wahlen
P.O. Box 391
Tallahassee, FL 32302
Phone: (850) 224-9115
Fax: (850) 222-7952
Represents: ALLTEL
- BellSouth Telecommunications, Inc.
Ms. Nancy B. White
c/o Nancy H. Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301-1556
Phone: (850) 224-7798
Fax: (850) 222-8640
- BlueStar Networks, Inc.
Norton Cutler/Michael Bressman
401 Church Street, 24th Floor
Nashville, TN 37210
Phone: (615) 346-3848
Fax: (615) 346-3875
Represented by: McWhirter Law Firm
- Blumemfeld & Cohen
Elise Kiely/Jeffrey Blumenfeld
1625 Massachusetts Ave. NW
Suite 300
Washington, DC 20036
- Covad Communications Company
Christopher V. Goodpaster
9600 Great Hills Trail, Suite 150 W
Austin, TX 78759
Phone: (512) 502-1713
Fax: (419) 818-5568
- e.spire Communications
James Falvey
133 National Business Parkway
Suite 200
Annapolis Junction, MD 20701
Phone: (301) 361-4298
Fax: (301) 361-4277
Represented by: Messer Law Firm
- Florida Cable Telecommunications Assoc., Inc.
Michael A. Gross
310 N. Monroe St.
Tallahassee, FL 32301
Phone: (850) 681-1990
Fax: (850) 681-9676

- Florida Competitive Carriers Assoc.
 c/o McWhirter Law Firm
 Joseph McGlothlin/Vicki Kaufman
 117 S. Gadsden St.
 Tallahassee, FL 32301
 Phone: (850) 222-2525
 Fax: (850) 222-5606
- Florida Digital Network, Inc.
 390 North Orange Ave., Suite 2000
 Orlando, FL 32801
 Phone: (407) 895-8240
 Fax: (407) 835-0309
*Represented by: Swidler, Berlin
 Law Firm*
- Florida Public
 Telecommunications Assoc.
 Angela Green, General Counsel
 125 S. Gadsden St., #200
 Tallahassee, FL 32301-1525
 Phone: (850) 222-5050
 Fax: (850) 222-1355
- Global NAPS, Inc.
 10 Merrymount Road
 Quincy, MA 02169
 Phone: (617) 507-5100
 Fax: (617) 507-5200
Represented by: Moyle Law Firm
- GTE Florida Incorporated
 Kimberly Caswell
 P.O. Box 110, FLTC0007
 Tampa, FL 33601-0110
 Phone: (813) 483-2617
 Fax: (813) 223-4888
- Holland Law Firm
 Bruce May
 P.O. Drawer 810
 Tallahassee, FL 32302
 Phone: (850) 224-7000
 Fax: (850) 222-8185
- Hopping Law Firm
 Richard Melson/Gabriel E. Nieto
 P.O. Box 6526
 Tallahassee, FL 32314
 Phone: (850) 222-7500
 Fax: (850) 224-8551
- Intermedia Communications, Inc.
 Scott Sappersteinn
 3625 Queen Palm Drive
 Tampa, FL 33619-1309
 Phone: (813) 829-4093
 Fax: (813) 829-4923
Represented by: Wiggins Law Firm
- Kelley Law Firm
 Jonathan Canis/Michael Hazzard
 1200 19th St. NW, Fifth Floor
 Washington, DC 20036
 Phone: (202) 955-9600
 Fax: (202) 955-9792
Represents: Z-Tel Communications
- KMC Telecom, Inc.
 John McLaughlin
 Suite 170
 3025 Breckinridge Blvd.
 Duluth, GA 30096
 Phone: (770) 931-5260
 Fax: (770) 638-6796
*Represented by: Swidler Berlin
 Law Firm*

- MCI WorldCom
Ms. Donna C. McNulty
325 John Knox Road, Suite 105
Tallahassee, FL 32303-4131
Phone: (850) 422-1254
Fax: (850) 422-2586
- MCI WorldCom, Inc.
Mr. Brian Sulmonetti
Concourse Corporate Center Six
Six Concourse Parkway, Suite 3200
Atlanta, GA 30328
- McWhirter Law Firm
Vicki Kaufman
117 S. Gadsden St.
Tallahassee, FL 32301
Phone: (850) 222-2525
Fax: (850) 222-5606
Represents: BlueStar Networks
- Messer Law Firm
Norman Horton, Jr.
P.O. Box 1876
Tallahassee, FL 32302
Phone: (850) 222-0720
Fax: (850) 224-4359
Represents: e.spire, NorthPoint
- Moyle Law Firm(Tall)
Jon Moyle/Cathy Sellers
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301
Phone: (850) 681-3828
Fax: (850) 681-8788

Represents: GNAPs
- Network Access
Solutions Corporation
100 Carpenter Drive, Suite 206
Sterling, VA 20164
Phone: (703) 742-7700
Fax: (703) 742-7706
*Represented by: Shook, Hardy
& Bacon, L.L.P.*
- NorthPoint Communications, Inc.
Glenn Harris, Esq.
222 Sutter Street, 7th Floor
San Francisco, CA 94108
Phone: (415) 365-6095
Fax: (415) 403-4003
Represented by: Messer Law Firm
- Office of Public Counsel
Stephen C. Reilly
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400
Phone: (850) 488-9330
- Pennington Law Firm
Peter M. Dunbar/Marc W. Dunbar
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Tallahassee, FL 32302
Phone: (850) 222-3533
Fax: (850) 222-2126
Represents: Time Warner AxS of FL
- Shook, Hardy & Bacon LLP
Rodney L. Joyce
600 14th Street, N.W., Suite 800
Washington, DC 20005-2004
Phone: (202) 639-5602
Fax: (202) 783-4211

*Represents: Network Access
Solutions Corporation*

- Sprint Communications
Company Limited Partnership
3100 Cumberland Circle
Mailstop GAATLN0802
Atlanta, GA 30339
Phone: (404) 649-6225
Fax: (404) 649-5174

- Sprint-Florida, Incorporated
Charles J. Rehwinkel
P.O. Box 2214
Tallahassee, FL 32316-2214
Phone: (850) 847-0244
Fax: (850) 878-0777

- Supra Telecommunications
and Information Systems, Inc.
Mark E. Buechele
2620 S.W. 27th Avenue
Miami, FL 33133
Phone: (305) 531-5286
Fax: (305) 476-4282

- Swidler & Berlin Law Firm
Eric J. Branfman/Morton Posner
3000 K Street, NW, #300
Washington, DC 20007-5116
Phone: (202) 424-7500
Fax: (202) 424-7645

*Represents: Florida Digital Network,
KMC Telephone (Facility Based
Carrier only), Telephone (Incumbent
Local Exchange only), Telephone
(Multi-Location Discount Aggregation
only), Telephone (Operator Service
Provider only), Telephone (Prepaid
Debit Card Provider only), Telephone
(Reseller only), Telephone (Switchless
Rebiller only)*

- Time Warner AxS of Florida, L.P.
Carolyn Marek
233 Bramerton Court
Franklin, TN 37069
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Fax: (615)376-6405
Represented by: Pennington Law Firm

- Wiggins Law Firm
Charles J. Pellegrini
P.O. Drawer 1657
Tallahassee, FL 32302
Phone: 850-385-6007
Fax: 385-6008

*Represents: Intermedia
Communications, Inc*

- Z-Tel Communications, Inc.
George S. Ford
601 S. Harbour Island Blvd.
Tampa, FL 33602-5706
Phone: (813) 233-4630
Fax: (813) 233-4620

Represented by: Kelley Law Firm


Katherine A. Swall