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ORIGINAL

November 9, 2000

RECEIVED-FPSC
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RECORDS AND REPORTING

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. 920260-TL

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s and Office of Public Counsel's Joint Motion Seeking Approval of the Stipulation, which we ask that you file in the captioned matter.

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 to the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White
Nancy B. White *(BW)*

- APP _____
- CAE _____
- OMP *[Signature]*
- COM 5
- GTR _____
- ECR 1
- LEG 2
- OPC _____
- PAI _____
- RGO 1
- SEC 1
- SER _____
- OTH _____

Enclosures

cc: All parties of record
Marshall M. Criser III
R. Douglas Lackey

RECEIVED & FILED

[Signature]

FPSC-BUREAU OF RECORDS DOCUMENT NUMBER-DATE

14536 NOV-98

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Comprehensive review of)	Docket No. 920260-TL
revenue requirements and rate)	
stabilization plan of Southern)	
Bell Telephone and Telegraph)	
Company)	
_____)		Filed: November 9, 2000

**Joint Motion Seeking Commission
Approval of the Stipulation**

COMES NOW, The Office of Public Counsel (the "OPC") and BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 25-22.037, Florida Administrative Code, and hereby files this Joint Motion to have the Florida Public Service Commission (the "FPSC") approve the Stipulation and Agreement between the Office of Public Counsel and BellSouth Telecommunications, Inc. (the "Stipulation and Agreement") and to take all the action specified therein. In support of this Joint Motion, the OPC and BellSouth show the following:

1. Presently pending before the FPSC is the implementation of the provisions of the Stipulation and Agreement between the OPC and BellSouth filed on January 5, 1994 and approved by the Commission in Order No. PSC-94-0172-FOF-TL, issued on February 11, 1994.
2. The issue of BellSouth's return on equity (earnings) for calendar year 1997 and the sharing therefrom remains to be concluded.
3. The OPC and BellSouth believe that it is in the best interest of the customers of BellSouth and the Citizens of Florida to amicably resolve the issue of BellSouth's return on equity/earnings for calendar year 1997 without the expenditure of further time, money, and other resources in litigating this issue before the Commission and the courts.

DOCUMENT NUMBER-DATE
14536 NOV-98
FPSC-RECORDS/REPORTING

4. The OPC and BellSouth have negotiated a settlement of these issues. That settlement is set forth in the Stipulation and Agreement executed by the OPC and BellSouth. A copy of the Stipulation and Agreement is attached hereto as Attachment "A"

5. Because the Stipulation and Agreement is in the best interest of BellSouth's customers, the OPC and BellSouth request that the FPSC expeditiously accept and approve the Stipulation and Agreement as filed and close Docket No. 920260-TL upon the implementation of the Stipulation and Agreement.

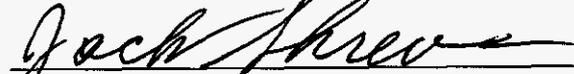
WHEREFORE, the OPC and BellSouth respectfully request that the FPSC grant the relief sought in this Joint Motion.

Respectfully submitted 9th day of November, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.


NANCY B. WHITE
c/o Nancy Sims
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(305) 347-5558

OFFICE OF THE PUBLIC COUNSEL


JACK SHREVE
c/o The Florida Legislature
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(850) 488-9330

209796

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive review of)	Docket No. 920260-TL
revenue requirements and rate)	
stabilization plan of Southern)	
Bell Telephone and Telegraph)	
Company)	
_____)	Filed: November 9th 2000

STIPULATION AND AGREEMENT BETWEEN THE OFFICE OF PUBLIC COUNSEL AND BELL SOUTH TELECOMMUNICATIONS, INC.

COMES NOW, the Office of Public Counsel ("Public Counsel") and BellSouth Telecommunications, Inc. ("BellSouth" or "Company") (sometimes hereinafter referred to as the "Parties") and hereby agree and covenant as follows:

WHEREAS, there is presently pending before the Florida Public Service Commission ("FPSC") the implementation of the provisions of the Stipulation and Agreement between the Office of Public Counsel and BellSouth filed on January 5, 1994 and approved by the Commission in Order No. PSC-94-0172-FOF-TL, issued on February 11, 1994; and

WHEREAS, the issue of BellSouth's return on equity (earnings) for calendar year 1997 and the sharing therefrom remains to be concluded; and

WHEREAS, Public Counsel and BellSouth believe that it is in the best interest of the customers of BellSouth and the Citizens of Florida to amicably resolve the issue of BellSouth's return on equity/earnings for calendar year 1997 without the expenditure of further time, money, and other resources in litigating these issues before the Commission and the courts;

Now therefore, the Parties do hereby agree and covenant as follows:

1. The Parties agree that this Stipulation and Agreement is intended to and shall settle all issues with regard to the determination of BellSouth's return on equity and earnings for calendar year 1997, as well as the appropriate amount of sharing therefrom.

2. The Parties agree that the preliminary Surveillance Report of calendar year 1997 resulted in a refund to BellSouth's Florida Subscribers of \$123.5 million, plus \$3.175 million interest which refund was processed during 1998. This refund was made pursuant to Order No. PSC-98-0693-FOF-TL, issued on May 19, 1998.

3. The Parties agree that an additional \$32 million, plus interest of \$2.033 million, for 1997 sharing was refunded to BellSouth's Florida subscribers in 1998 pursuant to Order No. PSC-98-1654-FOF-TL, issued on December 9, 1998.

4. The Parties agree that, after resolving the issues raised by the Commission Staff and Public Counsel, the final Surveillance Report for calendar year 1997 shows that BellSouth's earnings before sharing for that period exceeded 15.11% on equity. The issues settled include, but are not limited to unclaimed amounts from both the prior refunds and the current refund.

5. The Parties agree that an additional \$40.3 million, plus interest of \$7.628 million, for a total of \$47.928 million, be refunded to BellSouth's Florida customers. The Parties propose that these refunds be returned to customers using the same methodology approved by this Commission in Order No. PSC-98-0693-FOF-TL. The Parties further propose that the amount of \$47.928 million shall be refunded to customers of record as of the end of October, 2000. Refunds shall begin as soon as possible and shall be completed no later than the end of February, 2001. Due to the fact that this refund brings the implementation of Order No. PSC-94-0172-FOF-TL to a close, any unclaimed refunds resulting from this final refund should escheat to the state in accordance with Chapter 716, Florida Statutes.

6. In addition, as part of this Stipulation and Agreement, BellSouth agrees to absorb the nonrecurring cost for the operational support system upgrades necessary to implement rate center consolidation. BellSouth also agrees to absorb the recurring cost of eliminating Extended Calling Service as a result of consolidating the seven Florida Keys rate centers into one.

7. The Parties agree that they shall jointly petition the FPSC to approve this Stipulation and Agreement and close Docket No. 920260-TL upon the implementation of this Stipulation and Agreement.

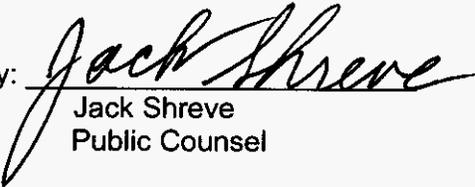
8. The Parties agree that in the event the FPSC does not adopt this Stipulation and Agreement in its entirety, this Stipulation and Agreement shall become null and void and be of no effect.

9. The Stipulation and Agreement shall be governed by, and construed and enforced in accordance with, the laws of the State of Florida without regard to its conflict of laws principles.

10. Public Counsel and BellSouth acknowledge that this Stipulation and Agreement is being entered into for the purposes of settlement only and that the Parties are entering into this Stipulation and Agreement to avoid the expense and length of further legal proceedings, taking into account the uncertainty and risk inherent in any litigation.

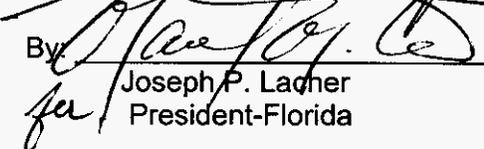
IN WITNESS WHEREOF, this Stipulation and Agreement has been executed as of November 9, 2000, by the undersigned counsel of record for the Parties hereto and/or by the Parties themselves in multiple counterparts, each of which shall be deemed an original.

OFFICE OF PUBLIC COUNSEL

By: 
Jack Shreve
Public Counsel

209804

BELLSOUTH
TELECOMMUNICATIONS, INC.

By: 
Joseph P. Lacher
President-Florida

**CERTIFICATE OF SERVICE
Docket No. 920260-TL**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S.

Mail this 9th day of November, 2000 to:

=====

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