

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by AT&T
Communications of the Southern
States, Inc. d/b/a AT&T for
arbitration of certain terms and
conditions of a proposed
agreement with BellSouth
Communications, Inc. pursuant to
47 U.S.C. Section 252.

DOCKET NO. 000731-TP
DATED: JANUARY 8, 2001

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-00-1634-PCO-TP, issued September 13, 2000, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

<u>Witness</u>	<u>Issue</u>
1. Gregory D. Fogleman	1

b. All Known Exhibits

Staff has not identified any exhibits at this time.

c. Staff's Statement of Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

d. Staff's Position on the Issues

DOCUMENT NUMBER-DATE

00325 JAN-80

FPSC-RECORDS/REPORTING

d. Staff's Position on the Issues

ISSUE 1: Should calls to Internet service providers be treated as local traffic for the purposes of reciprocal compensation? (Attachment 3, Section 6.1.2)

Position

STAFF: Staff takes no position at this time; however, staff has prefiled testimony which summarizes prior Florida Public Service Commission and prior Federal Communications Commission action regarding the treatment of ISP-bound traffic for purposes of reciprocal compensation.

ISSUE 2: What are the appropriate performance measurements and enforcement mechanisms that BellSouth should implement? (Performance Measures, Attachment 9)

Position

STAFF: Staff has no position at this time.

ISSUE 3: Should BellSouth be required to adopt validation and audit requirements which will enable AT&T to assure the accuracy and reliability of the performance data BellSouth provides to AT&T, and upon which the FPSC will ultimately rely when drawing conclusions about whether BellSouth meets its obligations under the Act? (Performance Measures, Attachment 9)

Position

STAFF: Staff has no position at this time.

ISSUE 4: What does "currently combines" mean as that phrase is used in 47 C.F.R. §51.315(b)? (UNEs Attachment 2, Section 2.7.1)

Position

STAFF: Staff has no position at this time.

ISSUE 5: Should BellSouth be permitted to charge AT&T a "glue charge" when BellSouth combines network elements?

Position

STAFF: Staff has no position at this time.

ISSUE 6: Under what rates, terms, and conditions may AT&T purchase network elements or combinations to replace services currently purchased from BellSouth tariffs? (UNEs, Attachment 2, Section 2.11)

Position

STAFF: Staff has no position at this time.

ISSUE 7: How should AT&T and BellSouth interconnect their networks in order to originate and complete calls to end-users? (Local Interconnection, Attachment 3)

Position

STAFF: Staff has no position at this time.

ISSUE 8: What terms and conditions, and what separate rates if any, should apply for AT&T to gain access to and use BellSouth facilities to serve multi-unit installations? (UNEs, Attachment 2, Section 5.2.5)

Position

STAFF: Staff has no position at this time.

ISSUE 9: Should BellSouth provide local circuit switching at UNE rates to allow AT&T to serve the first three lines provided to a customer located in Density Zone 1 as determined by NECA Tariff No. 4 in effect on January 1, 1999 ("Density Zone 1")?

Position

STAFF: Staff has no position at this time.

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ISSUE 10: Should BellSouth preclude AT&T from purchasing local circuit switching from BellSouth at UNE rates when a Density Zone 1 existing AT&T customer with 1-3 lines increases its lines to 4 or more? (UNEs, Attachment 2, Section 6.3.1.3 and 6.3.1.4)

Position

STAFF: Staff has no position at this time.

ISSUE 11: Should BellSouth be allowed to aggregate lines provided to multiple locations of a single customer to restrict AT&T's ability to purchase local circuit switching at UNE rates to serve any of the lines of that customer? (UNEs, Attachment 2, Section 6.3.1.3 and 6.3.1.4)

Position

STAFF: Staff has no position at this time.

ISSUE 12: Should AT&T be permitted to charge tandem rate elements when its switch serves a geographic area comparable to that served by BellSouth's tandem switch? (Local Interconnection, Attachment 3, Section 1.3)

Position

STAFF: Staff has no position at this time.

ISSUE 13: What are the appropriate means for BellSouth to provide unbundled local loops for provision of DSL service when such loops are provisioned on digital loop carrier facilities? (UNEs, Attachment 2, Section 3.11.2)

Position

STAFF: Staff has no position at this time.

ISSUE 14: What coordinated cut-over process should be implemented to ensure accurate, reliable and timely cut-overs when a customer changes local service from BellSouth to AT&T? (UNEs, Attachment 2, Section 3.8 et seq.)

Position

STAFF: Staff has no position at this time.

ISSUE 15: When a local call originates on the facilities of a CLEC and terminates to an AT&T customer served by a loop/port combination purchased by AT&T from BellSouth, who is responsible for paying for each element of the networks used to place and complete the call and which party, if any, is entitled to collect reciprocal compensation for the call?

Position

STAFF: Staff has no position at this time.

ISSUE 16: What is the appropriate treatment of outbound voice calls over Internet protocol ("IP") telephony, as it pertains to reciprocal compensation? (Local Interconnection, Attachment 3, Section 6.1.9)

Position

STAFF: Staff has no position at this time.

ISSUE 17: In calculating Percent Local Usage (PLU) for purposes of reciprocal compensation, should AT&T be allowed to report the Traffic on a monthly, rather than quarterly, basis? (Local Interconnection, Attachment 3, Section 6.1.11) -
PARTIES HAVE SETTLED THIS ISSUE

Position

STAFF: Staff has no position at this time.

ISSUE 18: What are the appropriate intervals for the delivery of collocation space to AT&T? (Collocation, Attachment 4, Section 6.4).

Position

STAFF: Staff has no position at this time.

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ISSUE 19: When AT&T and BellSouth have adjoining facilities in a building outside BellSouth's central office, should AT&T be able to purchase cross connect facilities to connect to BellSouth or other ALEC networks without having to collocate in BellSouth's portion of the building? (Collocation, Attachment 4, Section 1.6)

ISSUE 20: Is conducting a statewide investigation of criminal history records for each AT&T employee or agent being considered to work on a BellSouth premises a security measure that BellSouth may impose on AT&T? (Collocation, Attachment 4, Section 11.1, 11.2, 11.4, 11.5)

Position

STAFF: Staff has no position at this time.

ISSUE 21: Unless otherwise specified, where Attachment 4 regarding collocation refers to days, should those days be calendar days or business days? (Collocation, Attachment 4) (AT&T anticipates that this issue will be settled based on the FPSC's Order on Collocation in Docket Nos. 981834-TP and 990321-TP.)

Position

STAFF: Staff has no position at this time.

ISSUE 22: What are the appropriate recurring and non recurring charges for the collocation items for which charges have not been established or are not TELRIC compliant as listed in Exhibit A to Collocation, Attachment 4 of AT&T's Proposed Interconnection Agreement. (Collocation, Attachment 4 and Exhibit A)

Position

STAFF: Staff has no position at this time.

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ISSUE 23: Has BellSouth provided sufficient customized routing in accordance with State and Federal law to allow it to avoid providing Operator Services/Directory Assistance ("OS/DA") as a UNE?

Position

STAFF: Staff has no position at this time.

ISSUE 24: Should BellSouth be required to electronically process and provision customer specific orders for OS/DA if AT&T orders an unbranded or AT&T branded platform? (Attachment 7, Sections 3.20-3.24) - PARTIES HAVE AGREED THAT THIS ISSUE HAS BEEN SUBSUMED AND INCORPORATED INTO ISSUE #25 (As a result, Issue #24 will not longer exist as a stand-alone issue.)

Position

STAFF: Staff has no position at this time.

ISSUE 25: What procedure should be established for AT&T to obtain loop-port combinations (UNE-P) using both Infrastructure and Customer Specific Provisioning? (Attachment 7, Sections 3.20 - 3.24)

Position

STAFF: Staff has no position at this time.

ISSUE 26: May the Interconnection Agreement contain conditions on the purchase of any BellSouth exchange? - PARTIES HAVE SETTLED THIS ISSUE

Position

STAFF: Staff has no position at this time.

ISSUE 27: Should the Commission or a third party commercial arbitrator resolve disputes under the Interconnection Agreement?

Position

STAFF: Staff has no position at this time.

ISSUE 28: What is the proper time frame for either party to render bills for overdue charges? (Billing & Recording, Attachment 6, Section 1.2.3) - PARTIES HAVE SETTLED THIS ISSUE

Position

STAFF: Staff has no position at this time.

ISSUE 29: What are the proper parameters sufficient to prevent fraudulent billing for reciprocal compensation? (Local Interconnection, Attachment 3, Section 6.1.2) - PARTIES HAVE SETTLED THIS ISSUE

Position

STAFF: Staff has no position at this time.

ISSUE 30: Should the Change Control Process be sufficiently comprehensive to ensure that there are processes to handle, at a minimum the following situations: (OSS, Attachment 7, Exhibit A)

- a) introduction of new electronic interfaces?
- b) retirement of existing interfaces?
- c) exceptions to the process?
- d) documentation, including training?
- e) defect correction?
- f) emergency changes (defect correction)?
- g) an eight step cycle, repeated monthly?
- h) a firm schedule for notifications associated with changes initiated by BellSouth?
- i) a process for dispute resolution, including referral to state utility commissions or courts?

j) a process for the escalation of changes in process?

Position

STAFF: Staff has no position at this time.

ISSUE 31: What should be the resolution of the following OSS issues currently pending in the change control process but not yet provided? (OSS, Attachment 7, Exhibit A)

- a) parsed customer service records for pre-ordering?
- b) ability to submit orders electronically for all services and elements?
- c) electronic processing after electronic ordering, without subsequent manual processing by BellSouth personnel?

Position

STAFF: Staff has no position at this time.

ISSUE 32: Should BellSouth provide AT&T with the ability to access, via EBI/ECTA, the full functionality available to BellSouth from TAFI and WFA? (OSS, Attachment 7)

Position

STAFF: Staff has no position at this time.

ISSUE 33: Should AT&T be allowed to share the spectrum on a local loop for voice and data when AT&T purchases a loop/port combination and if so, under what rates, terms, and conditions? (UNE's, Attachment 2, Section 3.10)

Position

STAFF: Staff has no position at this time.

ISSUE 34: What are the appropriate rates and charges for unbundled network elements and combinations of network elements? (The parties anticipate that the rates and charges will be resolved in the generic UNE Cost docket, Docket No. 990649-TP.)

Position

STAFF: Staff has no position at this time.

e. Pending Motions

None

f. Pending Confidentiality Claims or Requests

None

g. Compliance with Order No. PSC-00-1634-PCO-TP

Staff has complied with all requirements of the Order Establishing Procedure entered in this docket.

Respectfully submitted this 8 th day of January, 2001.



C. LEE FORDHAM

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Staff's
Prehearing Statement has been served VIA-U.S. MAIL, this 8th day of
January, 2001, to the following:

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