

JAMES MEZA III
Attorney

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5561

January 18, 2001

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

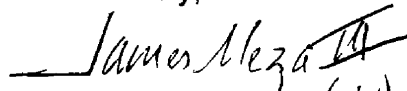
Re: Docket No. 010030-TX (Verizon)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Petition for Leave to Intervene, 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 to the parties shown on the attached Certificate of Service.

Sincerely,


James Meza III (JM)

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

DOCUMENT NUMBER-DATE

00769 JAN 18 01

FPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE
DOCKET NO. 010030-TX**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
U.S. Mail this 18th day of January, 2001 to the following:

Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Administrative Procedures Committee
Room 120 Holland Building
Tallahassee, FL 32399-1300

Verizon Florida, Inc.
Kimberly Caswell
P.O. Box 110, FLTC0007
Tampa, FL 33601-0110
Tel. No. (813) 483-2617
Fax. No. (813) 223-4888


James Meza III

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Verizon Select) Docket No. 010030-TX
Services Inc. for Limited Waiver of)
Rule 25-4.118, F.A.C.) Filed: January 18, 2001
_____)

BELLSOUTH'S MOTION FOR LEAVE TO INTERVENE

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 25-22.039, Florida Administrative Code, hereby requests leave to intervene in this proceeding, and as grounds therefore states:

1. BellSouth is a telephone company lawfully doing business in the State of Florida whose regulated operations are subject to the jurisdiction of this Commission pursuant to Chapter 364, Florida Statutes.

2. BellSouth's principal place of business in Florida is 150 W. Flagler Street, Suite 1910, Miami, Florida 33130. Pleadings and process in this matter may be served upon:

Nancy B. White
James Meza III
c/o Nancy H. Sims
150 So. Monroe Street, Suite 400
Tallahassee, Florida 32301

3. In Verizon Select Services Inc.'s ("VSSI") Petition for Limited Waiver of Rule 25-4.118 of the Florida Administrative Code, VSSI requests, among other things, that this Commission order BellSouth and Sprint to accept all VSSI's former customers that fail to select another local service once VSSI exits the local service provider industry on or about February 26, 2001 for out-of-franchise customers.

4. Any decision made by the Commission in this proceeding will necessarily affect the substantial interests of BellSouth and its business operations in the State of Florida. As a result, BellSouth moves to intervene in this matter to express the following concerns about VSSI's proposed order:

a. First, the natural result of competition is that some businesses will fail or decide to exit the industry. Directing BellSouth to be the default carrier every time an ALEC exits the industry frustrates the competitive spirit and forces BellSouth to be a pseudo-parent to all ALECS, which is contrary to the purposes of the Telecommunications Act of 1996. As with any other business, when an ALEC exits the industry, the responsibility for ensuring continuation of service should lie with the ALEC and its customers, not BellSouth.

b. Second, BellSouth could be forced to accept all of VSSI's former customers, regardless of their credit risk. Although VSSI requests that BellSouth be directed to take VSSI's customers subject to BellSouth's credit policies, VSSI admits that it does not know which of its customers fail to meet BellSouth's credit policies. Further, such an order is almost impossible to implement because the customers defaulting to BellSouth are those that failed to respond to several letters sent by VSSI informing them to select a new service provider. Consequently, BellSouth has no means of collecting a deposit from these customers or to obtain their

approval for a credit check to determine if said customers satisfy BellSouth's credit policies. Indeed, VSSI recognizes the problems associated with this order because it requests that BellSouth be directed to take all customers, subject to the right of termination after initiating service.

BellSouth understands that VSSI has agreed to provide BellSouth with a spreadsheet containing information relating to its customers, which purportedly will allow BellSouth to contact these customers and determine if they satisfy BellSouth's credit policies. However, due to VSSI's request to exit the industry by February 2001 and for expedited consideration of its waiver request, it is unlikely that BellSouth could accomplish this task by the proposed exit date. Further, section 364.24, Florida Statutes, may prohibit VSSI from providing BellSouth with the above-mentioned customer information. This statute prohibits telecommunications companies from intentionally disclosing customer account records, subject to certain exceptions. In any event, BellSouth should not be obligated to utilize its efforts and resources in calling these silent customers or to take customers subject to the right to terminate at a later date and with proper notice, simply because VSSI unilaterally decided to exit the industry.

5. While the proposed waiver and order is not satisfactory, BellSouth is willing to work with VSSI and the Commission to perfect a solution to the


problems associated with VSSI's unilateral decision to stop providing basic local service. BellSouth does not object to accepting new customers who independently chose BellSouth to be its carrier, but BellSouth does not want to be forced to accept all customers of a soon-to-be defunct ALEC, especially those that would not normally be able to receive service.

6. BellSouth understands that, pursuant to § 120.542 (6) of the Florida Statutes, it has the right to file comments to the proposed waiver requested by VSSI. However, in an abundance of caution and in light of VSSI's request for expedited treatment of its request for a waiver and a response to its waiver request prior to February 12, 2001, BellSouth files the instant Motion for Leave to Intervene.

WHEREFORE, BellSouth respectfully requests that the Commission grant BellSouth leave to intervene for all legal purposes in this docket.

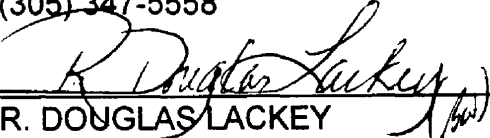
Respectfully submitted this 18th day of January, 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.



NANCY B. WHITE

JAMES MEZA III
c/o Nancy H. Sims
150 So. Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558



R. DOUGLAS LACKEY
E. EARL EDENFIELD JR.
Suite 4300
675 W. Peachtree St., NE
Atlanta, GA 30375
(404) 335-0747