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January 29, 2001

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
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RECORDS AND REPORTING

Re: Docket No.: 990649-TP

Dear Ms. Bayo:

On behalf of Z-Tel Communications, Inc., enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Response of Z-Tel Communications, Inc. In Opposition to Verizon's Request for an Extension of Time to File Cost Studies and Testimony

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

Sincerely,

Joseph A. McGlothlin

APP JAM/kmr
CAF Enclosure
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MCWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, DECKER, KAUFMAN, ARNOLD & STEEN, P.A.

DOCUMENT NUMBER - DATE
01282 JAN 29 2001
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation into)
pricing of unbundled network)
elements)
_____)

Docket No. 990649-TP

Filed: January 29, 2001

**RESPONSE OF Z-TEL COMMUNICATIONS, INC. IN OPPOSITION TO
VERIZON'S REQUEST FOR AN EXTENSION OF TIME TO
FILE COST STUDIES AND TESTIMONY**

Z-Tel Communications, Inc. ("Z-Tel"), through its undersigned counsel, files its Response in opposition to the request of Verizon Florida, Inc. ("Verizon") for an extension of time within which to file cost studies and testimony in this docket, and states:

1. By Order No. PSC-00-1486-PCO-TP, dated August 18, 2000, the Commission established a deadline of April 2, 2001 for the filing of cost studies and testimony by Sprint-Florida, Incorporated ("Sprint") and Verizon in this proceeding. The studies are to "comport to the state of the law at that time."

2. On January 5, 2001 Sprint submitted a motion in which it requested an extension until July 2, 2001 for the filing of its cost study and testimony.

3. On January 5, 2001 Verizon filed a pleading styled as a "response" to Sprint's motion. However, while Verizon purports to address Sprint's motion, within the pleading Verizon asks the Commission to extend its own deadline--and asks for relief that exceeds that sought by Sprint in its motion. Verizon asks the Commission to suspend the requirement that Verizon submit cost studies and testimony until after the federal pricing issues have been "finally determined." In the event the Commission denies this portion of Verizon's "response," it seeks, in the alternative, an extension at


least until July 2, 2001.

4. Verizon's pleading is in essence a motion for relief to which Z-Tel is entitled to respond. Z-Tel opposes any additional delay in the proceeding to establish cost-based UNE rates for Verizon. The establishment of reasonable, cost-based UNE rates is a critical step in the development of a framework that can sustain competition in the area in which Verizon serves as the ILEC. That process cannot begin until Verizon furnishes its cost studies and supporting testimony.

5. As an ALEC that desires to enter this market, Z-Tel would be adversely affected by an unjustified delay in the completion of cost studies and the filing of testimony. As the result of a judicial stay, the FCC's pricing methodology is currently in effect. As a practical matter, to wait until the federal issues have been "finally" resolved following possible judicial and/or administrative proceedings could be to delay the advent of meaningful competition by as much as two years or more, for the sole purpose of obviating the possibility of having to revisit and fine tune, on a prospective basis, the decision in this docket. Verizon's first request should be rejected out of hand.

6. Z-Tel also opposes Verizon's alternative request to extend its deadline until July 2, 2001. The Commission has already accommodated Verizon by establishing staggered deadlines designed to enable Verizon to complete its cost studies. An additional extension would merely delay the advent of meaningful competition. The delay would adversely affect Z-Tel and deprive customers in Verizon's service area of competitive choices.

For the above reasons, Z-Tel submits the request of Verizon for an extension of time to file its cost studies and testimony should be denied.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Response of Z-Tel Communications, Inc. In Opposition to Verizon's Request for an Extension of Time to File Cost Studies and Testimony has been furnished by hand delivery(*) and U.S. mail Monday, January 29, 2001, to:

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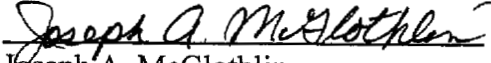
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