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Legal Department

E. EARL EDENFIELD JR.  
General Attorney

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(404) 335-0763

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RECORDS AND  
REPORTING

March 13, 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. 000828-TP (Sprint Arbitration)**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Second Motion for Leave to Supplement Post-Hearing Brief, 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,

*E. Earl Edenfield, Jr.*

E. Earl Edenfield Jr.

(2)

cc: All Parties of Record

- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- LEG \_\_\_\_\_
- OPC \_\_\_\_\_
- PAI \_\_\_\_\_
- RGD \_\_\_\_\_
- SEC \_\_\_\_\_
- SER \_\_\_\_\_
- OTH \_\_\_\_\_

- \_\_\_\_\_ Marshall M. Criser III
- \_\_\_\_\_ R. Douglas Lackey
- \_\_\_\_\_ Nancy B. White

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*[Signature]*  
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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE  
Docket No. 000828-TP**


I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

U.S. Mail and Electronic Mail on the 13th day of March, 2001 to the following:

Timothy Vaccaro (via electronic mail)  
Staff Counsel  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
Tel. No. (850) 413-6181  
Fax No. (850) 413-6182

Charles J. Rehwinkel (via U.S. Mail)  
Susan Masterton  
Sprint  
1313 Blair Stone Road  
Tallahassee, FL 32301  
Tel. No. (850) 847-0244  
Fax. No. (850) 878-0777

William R. L. Atkinson (via U.S. Mail)  
Benjamin W. Fincher  
Sprint  
3100 Cumberland Circle  
Cumberland Center II  
Atlanta, Georgia 30339  
Tel. No. (404) 649-6221  
Fax. No. (404) 649-5174

  
E. Earl Edenfield Jr.  
(2A)

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of:	)	
	)	Docket No. 000828-TP
Petition of Sprint Communications Company L.P. for	)	
Arbitration with BellSouth Telecommunications, Inc,	)	
Pursuant to Section 252(b) of the Telecommunications	)	
Act of 1996.	)	Filed: March 13, 2001
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**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
SECOND MOTION FOR LEAVE TO SUPPLEMENT POST-HEARING BRIEF**

BellSouth Telecommunications, Inc. (“BellSouth”) files this Second Motion for Leave to Supplement Post-Hearing Brief and says:

Subsequent to the January 10, 2001 hearing in this proceeding, Sprint withdrew its request for language concerning 00- dialing (Issue 9) from all pending arbitrations. BellSouth did not brief this issue in the Post-Hearing Brief, believing the issue to be resolved in every state where an arbitration is pending. In fact, BellSouth indicated in the Post-Hearing Brief that BellSouth believed the issue to be settled. (Post-Hearing Brief, at 21) BellSouth did not know that Sprint considered the issue resolved for all states *except Florida* until BellSouth received a call from the Commission Staff inquiring as to why BellSouth did not brief the issue. This revelation was, and remains, contrary to BellSouth’s understanding of the settlement of that issue.<sup>1</sup>

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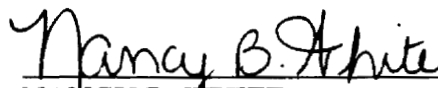
<sup>1</sup> Counsel for Sprint indicated that he thought that he had advised BellSouth’s General Counsel for North Carolina that the settlement was “prospective” only. BellSouth’s General Counsel for North Carolina has no recollection of such a conversation and neither does BellSouth’s negotiation team. Certainly, Sprint never advised the undersigned, who is the regional trial counsel for this arbitration.

When presented, yet again, with the question of why the issue would be resolved everywhere except for Florida, counsel for Sprint again advised that the Commission would be upset if the parties settled the issue after presenting testimony and taking up the Commission's time. The undersigned expressed his disagreement at that reasoning and indicated that BellSouth would again seek leave to supplement the Post-Hearing Brief. At that time, Sprint indicated that it had no objection to BellSouth supplementing the Post-Hearing Brief on this issue.

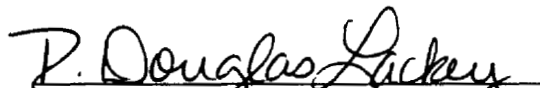
Therefore, BellSouth respectfully requests that the Commission allow BellSouth to supplement the Post-Hearing Brief to assert its position on the make-ready work issue. BellSouth has attached (Attachment A) a copy of the position statement that BellSouth would file if granted leave to do so by the Commission. If the Commission grants BellSouth leave to file a supplement to the Post-Hearing Brief, BellSouth respectfully requests that the Commission simply deem Attachment A to be BellSouth's Supplemental filing and consider it filed as of the date the Commission grants the leave to file.

Respectfully submitted, this 13<sup>th</sup> day of March 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.



NANCY B. WHITE (21)  
JAMES MEZA III  
c/o Nancy H. Sims  
150 So. Monroe Street, Suite 400  
Tallahassee, FL 32301  
(305) 347-5558



R. DOUGLAS LACKEY (21)  
E. EARL EDENFIELD JR.  
Suite 4300  
675 W. Peachtree St., NE

Atlanta, GA 30375  
(404) 335-0763

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## ATTACHMENT A

**Issue 9: Should the parties' Agreement contain language providing Sprint with the ability to transport multi-jurisdictional traffic over a single trunk group, including an access trunk group?**

\*\*\* BellSouth believes that Sprint's request to establish reciprocal trunk groups in some central offices and place all originating and/or terminating traffic, local or non-local, over direct end office switched access Feature Group D trunks may be technically feasible. Sprint has agreed to pay all reasonable development and implementation costs. \*\*\*

### DISCUSSION

The issue surrounding 00- dialing is not whether it is technically feasible, but instead whether reciprocal compensation or access will apply for such calls. BellSouth agrees that if a call using the 00- dialing platform originates and terminates in the local calling area, then that call is a local call. (TR, at 538) Sprint, however, seems to have ignored the fact that if the end-user is pre-subscribed to Sprint for long distance calls, or is using Sprint for dial-around local calls, then the end-user is a Sprint customer when using the 00- dialing platform. Thus, if the end-user is using the 00- dialing platform to make a long distance call, Sprint owes BellSouth originating access. (TR, at 539-541) Under the same analysis, if the end-user is using the 00- dialing platform to make a local call, Sprint is the originating carrier and may actually owe reciprocal compensation, depending on whether the carrier of the called party is someone other than Sprint.

BellSouth agrees that it is technically feasible to implement the 00- dialing requested by Sprint. As with the routing of all traffic types over Feature Group D trunks, Sprint should reimburse BellSouth for all reasonable development and implementation costs associated with Sprint's request. Further, BellSouth asks the Commission to determine that when an end-user utilizes 00- dialing for local traffic, that the end-user is a customer of Sprint for that call,

including for the assessment of reciprocal compensation. In order to verify the reporting of traffic as local or long distance, BellSouth requests that the Commission give BellSouth audit rights on 00- dialing traffic.