

T. MICHAEL TWOMEY
Senior Attorney

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(404) 335-0750

April 2, 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. 001797-TP (Covad Arbitration)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Motion to Limit Issues, 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,

T. Michael Twomey
T. Michael Twomey (12)

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

DOCUMENT NUMBER-DATE
04072 APR-26
FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE
Docket No. 001797-TP

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

Facsimile and Federal Express 2nd day of April, 2001 to the following:

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

Covad Communications Company
Ms. Catherine F. Boone
10 Glenlake Parkway
Suite 650
Atlanta, GA 30328-3495
Tel. No. (678) 579-8388
Fax. No. (678) 320-9433
Cboone@covad.com
Atty. for Covad

Vicki Gordon Kaufman
McWhirter Reeves McGlothlin Davidson
Decker Kaufman Arnold & Steen, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301
Tel. No. (850) 222-2525
Fax. No. (850) 222-5606
Atty. for Covad


T. Michael Twomey (RA)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for Interconnection Arbitration)	
By DIECA Communications, Inc. d/b/a)	Docket No. 001797-TP
Covad Communications Company Against)	
BellSouth Telecommunications, Inc.)	
)	Filed: April 2, 2001
)	

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
MOTION TO LIMIT ISSUES**

NOW COMES BellSouth Telecommunications, Inc. ("BellSouth") and respectfully requests the Florida Public Service Commission ("the Commission") to limit the issues in this matter. Several of the issues which DIECA Communications, Inc. d/b/a Covad Communications Company ("Covad") has included in its Petition for Arbitration are already included in other pending dockets before the Commission. It is a waste of the limited administrative resources of this Commission to consider precisely the same issues in multiple dockets when a generic docket has been established to consider those issues. Moreover, parties to the generic docket will be prevented from participating in the Commission's consideration of those issues if the Commission decides them in a two-party arbitration. A list of the issues discussed in this motion is attached as an Appendix. Additionally, because direct testimony in this matter is due on April 23, 2001, BellSouth respectfully requests that this motion be set for the April 17, 2001 Agenda.

1. Issues in Docket No. 990649-TP – Pricing of Unbundled Network Elements

Issues 10(a), 10(b), 14, and 24 (except with respect to line sharing) are before the Commission in Docket No. 990649-TP, In re: Investigation into Pricing of Unbundled Network Elements and should be deferred to that docket.

Specifically, Issues 10(a) and 10(b) are within the scope of Issue 11 from Docket No. 990649-TP, and Issue 24 (to the extent it concerns TELRIC rates for unbundled loops) is within the scope of Issue 9(a) from Docket No. 990649-TP. In Tennessee, Covad agreed to remove Issues 10(a) and 10(b), and 24 from the arbitration. Therefore, the only issue on which the parties appear to disagree is Issue 14 (*When ordering an SL1 loop, should Covad be able to order and reserve a specific facility?*).

Covad raised the substance of Issue 14 in Docket No. 990649-TP in its testimony and briefs relating to Issue 3 in that docket. Covad is not entitled to re-litigate that issue again in this docket. To the extent that Covad is concerned that the Commission may not reach the substance of Issue 14 when it issues a decision in 990649-TP, BellSouth understands that concern and respectfully suggests that, in resolving this motion, the Commission could simply indicate whether it intends to address the specific issue raised by Covad when the Commission renders a decision in Docket No. 990649-TP. If the Commission does not intend to reach that issue in the cost docket, then Covad should be entitled to arbitrate the issue in this docket.

2. Issues in Docket No. 000121-TP - Performance Measures

Issues 5(a), 5(b), 5(c), 12, 15, 18, and 30 are within the scope of, and should be considered in, Docket No. 000121-TP, In re: Investigation into the Establishment of Operations Support Systems Permanent Performance Measures for Incumbent Local Exchange Telecommunications Companies.

Issues 5(a), 5(b), and 5(c) raise the issues of how long it should take BellSouth to (1) provision an unbundled voice grade loop, ADSL, HDSL, or UCL; (2) provision an IDSL-compatible loop; and (3) “de-condition” (i.e., remove load coils or bridged tap) loops for Covad. Issue 9 concerns the interval for the provision of information relating to dark fiber. Issue 15 concerns the interval for installation of splitters in the central office and Issue 18 concerns the

interval for provisioning line sharing. Issue 30 concerns BellSouth's obligation to resolve all "loop facility issues" within thirty days of receiving a complete and correct local service request for that loop facility from Covad. These proposed intervals are plainly within the scope of Docket No. 000121-TP, which includes the establishment of performance measurements.

Issue 12 raises the issue of whether Covad should be relieved of its obligation to pay for a Local Service Request it has submitted, but later has cancelled, if the cancellation was purportedly based on BellSouth's failure to deliver a requested loop within five business days. This issue is also within the scope of Docket No. 000121-TP because it is a proposed enforcement mechanism.

3. Collocation Rates

The Commission has stated its intention to open a generic docket to consider issues related to certain rates for collocation. Therefore, Issue 29 (which concerns collocation rates)¹ should be deferred to such generic dockets.

4. Hearing Date

Because this motion may limit the scope of direct testimony to be filed on April 23, 2001, BellSouth requests that it be set for hearing on April 17, 2001, the Commission's next Agenda date.

CONCLUSION

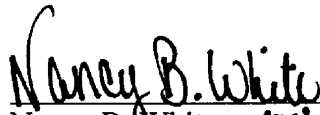
What is the purpose of generic dockets if the parties to those dockets are free to re-litigate the issues therein in another docket pending before the Commission? BellSouth respectfully submits that Covad is not entitled to arbitrate the same issues which have been raised in a generic docket, particularly where Covad is the party who raised the particular issue.

¹ To the extent Issue 29 concerns collocation rates set in an earlier proceeding, Covad is apparently seeking reconsideration of such rates in this docket. The Commission should reject that request.

BellSouth respectfully requests that the Commission defer Issues 10(a), 10(b), 14, and 24 (except with respect to line sharing) to Docket No. 990649-TP; defer Issues 5(a), 5(b), 5(c), 12, 15, 18, and 30 to Docket No. 000121-TP; and defer Issue 29 to the generic docket the Commission opens to consider collocation rates.

Respectfully submitted, this 2nd day of April, 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.



Nancy B. White (RM)

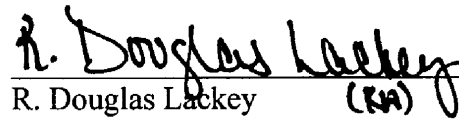
James Meza III

150 West Flagler Street

Suite 1910

Miami, Florida 33130

(305) 347-5558



R. Douglas Lackey (RM)

T. Michael Twomey

675 West Peachtree Street, Suite 4300

Atlanta, Georgia

(404) 335-0750

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APPENDIX

The following issues are the subject of BellSouth's Motion to Limit Issues:

Issue 5(a): What is the appropriate interval for BellSouth to provision an unbundled voice-grade loop, ADSL, HDSL or UCL for Covad?

Issue 5(b): What is the appropriate interval for BellSouth to provision an IDSL-compatible loop for Covad?

Issue 5(c): What should be the appropriate interval for BellSouth to "de-condition" (i.e., remove load coils or bridged tap) loops requested by Covad?

Issue 10(a): Should Covad be required to pay for loop conditioning for loops less than 18,000 feet in length?

Issue 10(b): What should the rates be for conditioning a loop?

Issue 12: Should Covad have to pay for a submitted LSR when it cancels an order because BellSouth has not delivered the loop in less than five business days?

Issue 14: When ordering an SL1 loop, should Covad be able to order and reserve a specific facility?

Issue 15: What should be the interval for installation in central offices of splitters necessary to implement line sharing?

Issue 18: What should the provisioning interval be for the line sharing unbundled network element?

Issue 24: Are the rates proposed by BellSouth for unbundled loops and line sharing compliant with TELRIC pricing?

Issue 29: What rates should Covad pay for collocation?

Issue 30: Should BellSouth resolve all loop "facilities" issues within thirty days of receiving a complete and correct local service request from Covad?