



ORIGINAL

April 4, 2001

Ms. Blanca Bayó, Director
Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

via U.S. Mail

Re: Docket No. 960786-TL – Consideration of BellSouth Telecommunications, Inc.'s entry into InterLATA services pursuant to Section 271 of the Federal Telecommunications Act of 1996

Dear Ms. Bayó,

Please find enclosed for filing in the above docket an original and seven (7) copies of Florida Digital Network, Inc.'s Petition to Intervene. Also enclosed is a diskette * containing a Microsoft Word for Windows 2000 file of the Petition text.

If you have any questions regarding the Petition, please call me at 407-835-0460.

Sincerely,

Matthew Feil
Florida Digital Network
General Counsel

C: Mike Sloan (Swidler Berlin et al)

APP
CAF
CMP
COM
CTR
ECR
LEG
OPC
PAI
RGO
SEC
SER
OTH

Done 4/09/01

MAIL ROOM
01 APR 9 - 10

LOCAL . LONG DISTANCE . INTERNET

DOCUMENT NUMBER-DATE

04277 APR-01

* DISKETTE NOT INCLUDED

390 N. Orange Avenue . Suite 2000 & 200 . Orlando, FL 32801
407.835.0300 . Fax 407. 835.0309 . www.floridadigital.net

FPSC-RECORDS/REPORTING

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In re: Consideration of BellSouth Telecommunications,
Inc.'s entry into interLATA services pursuant to
Section 271 of the Federal Telecommunications Act
of 1996)
)
)
)
)
)
_____)

Docket No. 960786-TL

Filed: April 4, 2001

PETITION TO INTERVENE
OF
FLORIDA DIGITAL NETWORK, INC.

Pursuant to Rules 25-22.039 and 28-106.201(2), Florida Administration Code, Florida Digital Network, Inc. ("Florida Digital") files this Petition to Intervene with the Florida Public Service Commission ("Commission") in the above-referenced docket. In support thereof, Florida Digital states as follows:

1. Petitioner's full name and principal place of business are:

Florida Digital Network, Inc.
390 North Orange Ave
Suite 2000
Orlando, FL 32801

2. All pleadings, orders, notices and other correspondence with respect to this docket

should be addressed to:

Matthew Feil
Florida Digital Network, Inc.
390 North Orange Ave
Suite 2000
Orlando, FL 32801
(407) 835-0460
mfeil@floridadigital.net

Michael Sloan
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW
Suite 300
Washington, D.C. 20007-5116
(202) 295-8458
mcsloan@swidlaw.com

DOCUMENT NUMBER-DATE

04277 APR-60

FPSC-RECORDS/REPORTING

3. Florida Digital is a duly certified alternative local exchange telecommunications carrier (“ALEC”) and interexchange carrier (“IXC”) in Florida. As such, Florida Digital is subject to the rules, regulations and orders of the Commission, and such rules, regulations and orders impact Florida Digital’s ability to provide local exchange telecommunications service and interexchange telecommunications service.
4. Florida Digital is a competitor of BellSouth Telecommunications, Inc. (“BellSouth”) in the market for local services and, depending on the outcome of this proceeding, may be a competitor of BellSouth in the market for in-region long distance services. Florida Digital utilizes BellSouth’s interconnection service and access to unbundled network elements to compete in BellSouth’s incumbent territories.
5. The Telecommunications Act of 1996 intended this proceeding to address and protect the interests of competitive carriers such as Florida Digital, and Florida Digital’s interests will be substantially and directly affected by the Commission’s decision in this case.

WHEREFORE, Florida Digital requests that the Commission issue an order permitting Florida Digital to intervene in this proceeding and affording Florida Digital full party status.

Respectfully submitted this 4th day of April, 2001.



Matthew Feil
Florida Digital Network, Inc.
390 North Orange Ave
Suite 2000
Orlando, FL 32801
(407) 835-0460
mfeil@floridadigital.net

Michael Sloan
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW
Suite 300
Washington, D.C. 20007-5116
(202) 295-8458
mcsloan@swidlaw.com

CERTIFICATE OF SERVICE
DOCKET NO. 960786-TL

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via U.S. Mail to the following parties of record on this the 4th day of April 2001:

American Communications Services, Inc.
James Falvey
131 National Business Parkway
Annapolis Junction, MD 20701
Represented by: Messer Law Firm

AT&T Communication of the Southern States, Inc.
Ms. Rhonda P. Merritt
101 North Monroe Street, Suite 700
Tallahassee, FL 32301-1549
Phone: (850) 425-6342
Fax: 425-6361

BellSouth Telecommunications, Inc.
Ms. Nancy H. Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301-1556
Phone: (850) 224-7798
Fax: 222-8640

BellSouth Telecommunications, Inc. (Atl)
Nancy White
675 W. Peachtree St., #4300
Atlanta, GA 30375
Phone: 404-335-0710
Fax: 404-614-4054

Birch
Ms. Rose M. Mulvany
2020 Baltimore Avenue
Kansas City, MO 64108-1914
Phone: (816) 300-3731
Fax: (816) 300-3350
rmulvany@birch.com

CompTel
Terry Monroe/Genevieve Morelli
1900 M Street, NW, Suite 800
Washington, DC 20036

Continental Cablevision
Donald Crosby
7800 Belfort Parkway, #270
Jacksonville, FL 32256-6925
Phone: 904-731-8810
Fax: 904-281-0342

Cox Communications (VA)
Jill Butler
4585 Village Ave.
Norfolk, VA 23502
Phone: 757-369-4524
Fax: 757-369-4500
Represented by: Landers Law Firm

CWA
Alan H. Keith
2180 West State Road 434, Suite 1168
Orange Park, FL 32779
Phone: 407-772-0266
Fax: 407-772-2516

CWA (Orl)
Kenneth Ruth
2180 West State Road 434
Longwood, FL 32779
Phone: 407-772-0266
Fax: 407-772-2516

Davel Communications Group, Inc.
Lisa Bilchik
10120 Windhorst Rd.
Tampa, FL 33619
Phone: 813-628-8000
Fax: 813-740-9406

DeltaCom, Inc.
Nanette Edwards
700 Boulevard South # 101
Huntsville, AL 35802

DES Long Distance
Linda Williams
P. O. Box 1585
Destin, FL 32540-1585
Phone: (850) 837-0077
Fax: (850) 654-1794

Ervin Law Firm
Everett Boyd
P.O. Drawer 1170
Tallahassee, FL 32302
Phone: 850-224-9135
Fax: 222-9164
Represents: Sprint/Sprint-Metro

Executive Office of the Governor
Office of Planning and Budget
General Government Unit
The Capitol, Rm. 1502
Tallahassee, FL 32399-0001

Federal Communications Commission
Janice Miles
1919 M St., NW, #544
Washington, DC 20554

Florida Cable Telecommunications Assoc., Inc.
Michael Gross/Charles Dudley
246 E. 6th Avenue, Suite 100
Tallahassee, FL 32303
Phone: 850-681-1990
Fax: 681-9676
mgross@fcta.com

Florida Competitive Carriers Assoc.
c/o McWhirter Law Firm
Vicki Kaufman
117 S. Gadsden St.
Tallahassee, FL 32301
Phone: 850-222-2525
Fax: 222-5606

Florida Electric Cooperatives Association, Inc.
Michelle Hershel
P.O. Box 590
Tallahassee, FL 32302
Phone: 850-877-6166
Fax: 656-5485

Florida Public Telecommunications Assoc.
Angela Green, General Counsel
125 S. Gadsden St., #200
Tallahassee, FL 32301-1525
Phone: 850-222-5050
Fax: 222-1355

Florida Senate Committee on Regulated Industries
John Guthrie
404 S. Monroe Street
Tallahassee, FL 32399-1100
Phone: 850-487-5957
Fax: 410-5120

Hopping Law Firm
Richard Melson
P.O. Box 6526
Tallahassee, FL 32314
Phone: 850-222-7500
Fax: 224-8551
Represents: MCI, Rhythms Links, ITC^DeltaCom

Intermedia Communications, Inc.
Mr. Scott Sapperstein
One Intermedia Way (MC FLT -HQ3)
Tampa, FL 33647-1752
Phone: (813) 829-4093
Fax: (813) 829-4923
sasapperstein@intermedia.com
Represented by: Katz, Kutter Law Firm

ITC^DeltaCom
Ms. Nanette Edwards
700 Boulevard South, Suite 101
Huntsville, AL 35802
Phone: (256) 650-3856
Fax: (256) 650-3936
Represented by: Hopping Law Firm

IXC Communications Services, Inc.
Director of Regulatory Affairs
1122 Capital of Texas Highway South
Austin, TX 78746
Phone: (512) 340-2665
Fax: (512) 328-7902

Katz, Kutter Law Firm
Charles Pellegrini/Patrick Wiggins
12th Floor
106 East College Avenue
Tallahassee, FL 32301
Phone: 850-224-9634
Fax: 222-0103
Represents: Intermedia

Kentucky Public Service Commission
Deborah Eversole, General Counsel
P. O. Box 615
Frankfort, KY 40602

Knowles Law Firm
John Marks, III
215 S. Monroe St., #130
Tallahassee, FL 32301
Phone: 850-222-3768
Fax: 561-0397
Represents: BellSouth

Landers Law Firm
Scheffel Wright
P.O. Box 271
Tallahassee, FL 32302
Phone: 850-681-0311
Fax: 224-5595
Represents: Cox Communications

LDDS Communications, Inc.
Brian Sulmonetti
1515 S. Federal Hwy., #400
Boca Raton, FL 33432-7404
Phone: 561-750-2940
Fax: 561-750-2629
Represented by: Messer Law Firm

MCI WorldCom Network Services, Inc.
Ms. Donna C. McNulty
325 John Knox Road, Suite 105
Tallahassee, FL 32303-4131
Phone: 850-422-1254
Fax: 422-2586
donna.mculty@wcom.com
Represented by: Hopping Law Firm

Messer Law Firm
Floyd Self
P.O. Box 1876
Tallahassee, FL 32302
Phone: 850-222-0720
Fax: 224-4359
Represents: LDDS, ACSI

Metropolitan Fiber Systems of Florida, Inc.
Mr. Brian Sulmonetti
1515 South Federal Highway, Suite 400
Boca Raton, FL 33432-7404
Phone: (561) 750-2040
Fax: (561) 750-2629
brian.sulmonetti@wcom.com
Represented by: Swidler & Berlin

MGC Communications, Inc.
Marilyn H. Ash
3301 North Buffalo Drive
Las Vegas, NV 89129
Phone: 702-310-8461
Fax: 702-310-5689

Network Access Solutions Corporation
100 Carpenter Drive, Suite 206
Sterling, VA 20164
Phone: (703) 742-7700
Fax: (703) 742-7706
Represented by: Shook, Hardy & Bacon LLP

Office of Public Counsel
c/o The Florida Legislature
111 W. Madison St., #812
Tallahassee, FL 32399-1400
Phone: 850-488-9330

Pennington Law Firm
Peter Dunbar/Karen Camechis
P.O. Box 10095
Tallahassee, FL 32301
Phone: 850-222-3533
Fax: 222-2126
pete@penningtonlawfirm.com
Represents: Time Warner

Qcc Inc.
Janet Cinelli
8829 Bond St.
Overland Park, KS 66214
Phone: 913-492-1230
Fax: 913-492-1684

Rhythms Links Inc.
6933 South Revere Parkway, Suite 100
Englewood, CO 80112
Phone: (303) 476-4200
Represented by: Hopping Law Firm

Rutledge Law Firm
Kenneth Hoffman
P.O. Box 551
Tallahassee, FL 32302
Phone: 850-681-6788
Fax: 681-6515

Shook, Hardy & Bacon LLP
Rodney L. Joyce
600 14th Street, N.W., Suite 800
Washington, DC 20005-2004
Phone: (202) 639-5602
Fax: (202) 783-4211
rjoyce@shb.com
Represents: Network Access Solutions

South Carolina Public Service Commission
Research Dept./Vivian Dowdy
P.O. Drawer 11649
Columbia, SC 29211

Sprint/Sprint-Metro
Mr. Benjamin W. Fincher
3100 Cumberland Circle, #802
Atlanta, GA 30339
Phone: 404-649-5144
Fax: 404-649-5174
Represented by: Ervin Law Firm

Swidler & Berlin
Richard Rindler
3000 K St. NW, #300
Washington, DC 20007-
Phone: 202-424-7771
Fax: 202-424-7645
Represents: Metropolitan Fiber

Time Warner Telecom
Ms. Carolyn Marek
Regulatory Affairs, Southeast Region
233 Bramerton Court
Franklin, TN 37069
Phone: (615) 376-6404
Fax: (615) 376-6405
carolyn.marek@twtelecom.com
Represented by: Pennington Law Firm

Touch 1 Communications
Charlene Perry
P.O. Drawer 10751
Atmore, AL 36504-5751
Phone: 334-368-8600
Fax: 334-368-1314

TransAmerica Communications, Inc.
% Qwest
4250 North Fairfax Drive, 12W002
Arlington, VA 22203
Phone: (703) 363-4321
Fax: (703) 363-4404

U.S. Department of Justice/Telecom Task Force
Anu Seam
Antitrust Division
1401 H Street N.W., Ste 8000
Washington, DC 20530
Phone: 202-514-9848
Fax: 202-514-6381

Utilities and Telecommunications (State House)
Patrick L. "Booter" Imhof
410 House Office Bldg.
Tallahassee, FL 32399



Matthew Feil