

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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MAY 17 11:21
RECORDS AND REPORTING

DATE: MAY 17, 2001

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF LEGAL SERVICES (FUDGE) *H/p*
DIVISION OF COMPETITIVE SERVICES (LOGUE) *RL* *Q*

RE: DOCKET NO. 010345-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., TCG SOUTH FLORIDA, AND MEDIAONE FLORIDA TELECOMMUNICATIONS, INC. FOR STRUCTURAL SEPARATION OF BELL SOUTH TELECOMMUNICATIONS, INC. INTO TWO DISTINCT WHOLESALE AND RETAIL CORPORATE SUBSIDIARIES.

AGENDA: 05/29/01 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\LEG\WP\010345.RCM

CASE BACKGROUND

On March 21, 2001, AT&T Communications of the Southern States, Inc., TCG South Florida and MediaOne Florida Telecommunications, Inc. (collectively, "AT&T"), filed a petition requesting the Florida Public Service Commission ("Commission") institute proceedings and enter an order requiring the structural separation of BellSouth Telecommunications, Inc. ("BellSouth") "into two distinct wholesale and retail corporate subsidiaries." Subsequently, on April 10, 2001, BellSouth filed its Motion to Dismiss, or in the Alternative, Motion to Strike AT&T's Petition seeking the Structural Separation of BellSouth. On May 2, 2001, AT&T filed a response opposing BellSouth's Motion to Dismiss.

DOCUMENT NUMBER-DATE

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DISCUSSION OF ISSUES

ISSUE 1: Should the Commission set this docket for a Commission workshop?

RECOMMENDATION: Yes. The Commission should set this docket for a Commission workshop as soon as scheduling permits. (LOGUE)

STAFF ANALYSIS: The vast number of unknowns with respect to how such a structural separation would affect Florida's consumers bears additional consideration, and there should be an opportunity for input from all interested parties of record. Additionally, because there are numerous practical, technical and legal considerations, staff believes a Commission workshop would provide the best forum as a segue for subsequent courses of action, which would include ruling on the Motions filed in this docket.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. This docket should remain open. (FUDGE)

STAFF ANALYSIS: Staff believes that, for the reasons provided in the recommendation and staff analysis of Issue 1, this docket should remain open and be set for a Commission workshop before proceeding further in this matter.