

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into
pricing of unbundled network
elements.

DOCKET NO. 990649-TP
ORDER NO. PSC-01-1138-PCO-TP
ISSUED: May 18, 2001

ORDER MODIFYING ISSUES LIST FOR PHASE III
REGARDING SPRINT-FLORIDA, INC. AND VERIZON FLORIDA, INC.

On December 10, 1998, in Docket No. 981834-TP, the Florida Competitive Carriers Association (FCCA), the Telecommunications Resellers, Inc. (TRA), AT&T Communications of the Southern States, Inc. (AT&T), MCIMetro Access Transmission Services, LLC and WorldCom Technologies, Inc. (MCI WorldCom), the Competitive Telecommunications Association (Comptel), MGC Communications, Inc. (MGC), Intermedia Communications Inc. (Intermedia), Supra Telecommunications and Information Systems (Supra), Florida Digital Network, Inc. (Florida Digital Network), and Northpoint Communications, Inc. (Northpoint) (collectively, "Competitive Carriers") filed their Petition of Competitive Carriers for Commission Action to Support Local Competition in BellSouth's Service Territory. Among other matters, the Competitive Carriers' Petition asked that this Commission set deaveraged unbundled network element (UNE) rates.

On May 26, 1999, this Commission issued Order No. PSC-99-1078-PCO-TP, granting in part and denying in part the Competitive Carriers' petition. Specifically, the Commission granted the request to open a generic UNE pricing docket for the three major incumbent local exchange providers, BellSouth Telecommunications, Inc. (BellSouth), Sprint-Florida, Incorporated (Sprint), and GTE Florida Incorporated (GTEFL). Accordingly, this docket was opened to address the deaveraged pricing of UNEs, as well as the pricing of UNE combinations and nonrecurring charges. An administrative hearing was held on July 17, 2000, on the Part One issues identified in Order No. PSC-00-2015-PCO-TP, issued June 8, 2000. Part Two issues, also identified in Order No. PSC-00-2015-PCO-TP, were heard in an administrative hearing on September 19-22, 2000. On August 18, 2000, Order No. PSC-00-1486-PCO-TP was issued granting Verizon Florida Inc.'s (formerly GTE Florida Incorporated) Motion to Bifurcate and Suspend Proceedings, as well as Sprint-Florida Incorporated's and Sprint Communications Company Limited Partnership's Motion to Bifurcate Proceedings, for a Continuance and Leave to Withdraw Cost Studies and Certain Testimony.

DOCUMENT NUMBER-DATE

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FPCO-REC'DES. REPORTING

On January 5, 2001, Sprint filed a Petition to Amend Order Granting Motions to Bifurcate and Suspend Proceedings. Therein, Sprint requested that the dates for filing its testimony and cost studies be extended 90 days. On January 16, 2001, Verizon filed a Response to Sprint's Petition. Verizon agreed with Sprint that an extension was appropriate, but asked that the extension apply to its filings as well. Furthermore, Verizon asked that the extension be made indefinite. By Order No. PSC-01-0551-PCO-TP, issued March 12, 2001, these requests were granted, in part, and denied, in part. Pursuant to that Order, Sprint's and Verizon's direct testimony and exhibits are due May 18, 2001.

Subsequent to our administrative hearing addressing Phase II, UNE rates for BellSouth, our staff identified a concern regarding the apparent lack of clarity regarding one of the issues addressed at hearing. Therefore, our staff conducted a conference call with all of the parties on April 19, 2001, to discuss adding a more specific issue to the current list of issues in effort to promote clarity in the subsequent phases of this proceeding. As a result of the discussions, the parties and our staff agreed that the following issue should be added to our list of issues for Phase III:

11(b). What is the appropriate rate, if any, for loop qualification information, and in what situations should the rate apply?

The current Issue 11, as originally set forth in the Second Revised Order on Procedure, Order No. PSC-00-0540-PCO-TP, issued March 16, 2000, shall be renumbered 11(a), and the new issue will follow in sequence as Issue 11(b). Testimony and exhibits submitted in this phase of this proceeding shall address this additional issue, as well as the previously identified issues.

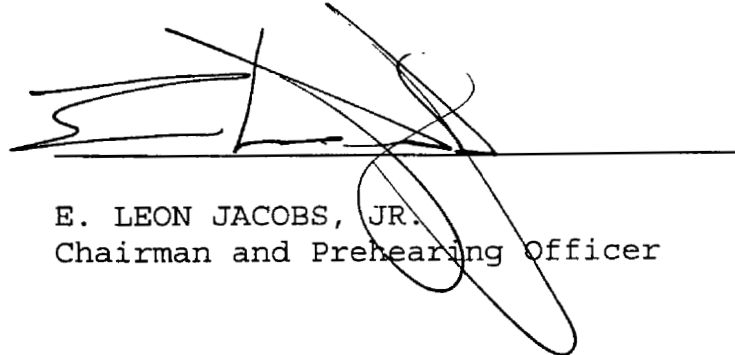
It is therefore

ORDERED by Chairman E. Leon Jacobs, Jr., as Prehearing Officer, the Issue 11(b), as identified in the body of this Order, shall be added to the list of issues identified for Phase III of this proceeding regarding Sprint-Florida, Inc. and Verizon Florida, Inc. It is further

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ORDERED that Order No. PSC-00-0540-PCO-TP is reaffirmed to the extent not already modified by other Orders in this proceeding.

By ORDER of Chairman E. Leon Jacobs, Jr. as Prehearing Officer, this 18th Day of May, 2001.



E. LEON JACOBS, JR.
Chairman and Prehearing Officer

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida

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Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.