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May 29, 2001

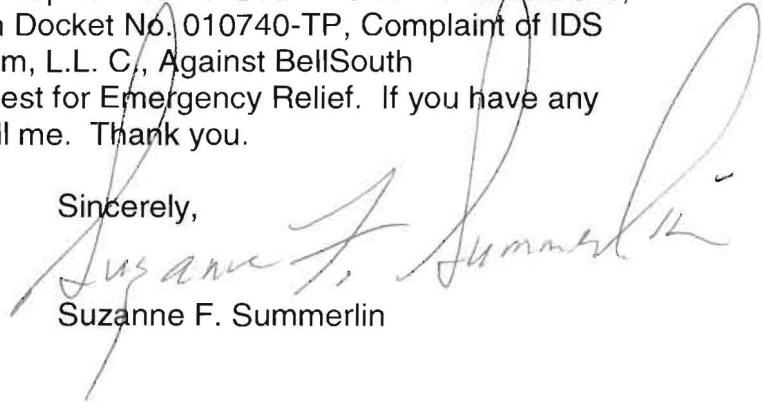
Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
4075 Esplanade Way, Room 110  
Tallahassee, Florida 32399-0850

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RECORDS AND  
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Dear Ms. Bayo:

Enclosed for filing on behalf of IDS Telcom, LLC are the original and fifteen copies of IDS Telcom, LLC's Response to BellSouth Telecommunications, Inc.'s Motion for Extension of Time in Docket No. 010740-TP, Complaint of IDS Long Distance, Inc. n/k/a IDS Telecom, L.L. C., Against BellSouth Telecommunications, Inc., and Request for Emergency Relief. If you have any questions about this filing, please call me. Thank you.

Sincerely,



Suzanne F. Summerlin

SFS/mh  
Enclosures

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FPSC-RECORDS/REPORTING

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Complaint of IDS Long Distance, Inc. )  
n/k/a IDS Telecom, L.L.C., Against )  
BellSouth Telecommunications, Inc., and ) Docket No. 010740-TP  
Request for Emergency Relief. ) Filed May 29, 2001  
\_\_\_\_\_ )

**IDS TELCOM, L.L.C.'s RESPONSE TO  
BELLSOUTH TELECOMMUNICATIONS, INC.'S  
MOTION FOR EXTENSION OF TIME**

IDS Long Distance, Inc. n/k/a IDS Telecom, L.L.C., ("IDS"), by and through its undersigned counsel, hereby files this Response to BellSouth Telecommunications, Inc.'s ("BellSouth's") Motion for Extension of Time, and states:

1. Pursuant to Rule 28-106.103, Florida Administrative Code, BellSouth has twenty days plus five days for service by U.S. mail to file a response to IDS' Complaint (that was filed and served by U. S. mail on May 11, 2001). Therefore, BellSouth's response is due June 5, 2001.

2. BellSouth has requested a twenty-day extension of time in which to file its response to IDS' Complaint. BellSouth complains that IDS' Complaint is "fact intensive" and that this justifies giving BellSouth twice as much time as it is supposed to have under the rules governing responses.

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3. BellSouth has more resources than any other telephone company in the State of Florida. Certainly, if any phone company has ever been required to meet the twenty-day response period, and if any phone company ever again will be required to meet the twenty day response time, BellSouth should be required to do so.

4. There is nothing unique about IDS' complaint that justifies BellSouth being given a full extra twenty days to respond to it. Indeed, the very fact that IDS' complaint describes an emergency situation in which customers are being abused and in which IDS is being tremendously harmed by BellSouth's anticompetitive behavior, demands that the Florida Public Service Commission respond immediately to IDS' request for its assistance. Therefore, BellSouth must be required to file its response according to law within the twenty plus five days or by June 5, 2001.

5. BellSouth is not required to file its entire case in its response to IDS' complaint. BellSouth simply provides responses such as "admitted" or "denied" or "without knowledge" as to the allegations in IDS' complaint. There is no provision in law for an extension of time such as BellSouth has requested. BellSouth will have time to do its own discovery of its own operations as the proceeding moves forward. One of BellSouth's justifications for its request for an extension of time to file its response is that the Commission should have the best information. However, the Commission will not be able to have the best information in twenty additional days. The best information presumably will be provided in a full hearing process. The Commission has an obligation to respond expeditiously in these

circumstances and making a BellSouth-only variance from the rules is not appropriate. The Commission must act immediately to stop the grievous harm that is occurring on a daily basis to IDS and its customers.

6. Another BellSouth justification for its request for an extension of time to file its response is that there is no actual emergency. BellSouth states that IDS' Complaint includes customer affidavits regarding events that took place months ago and, therefore, BellSouth concludes that IDS has not presented an emergency situation. This is simply not true. IDS has alleged that it is in a crisis situation right now. The customer affidavits that happen to be attached to IDS' Complaint are simply examples that IDS was able to obtain in time to file this Complaint. There are literally thousands of other situations that IDS was not able to obtain affidavits for at this point in time. IDS and IDS' customers are experiencing daily critical problems with BellSouth's provision of OSS and UNEs.

WHEREFORE, IDS respectfully requests that the Commission deny BellSouth's Motion for an Extension of Time to file its response to IDS' complaint.

Respectfully submitted, this 29<sup>th</sup> day of May, 2001.



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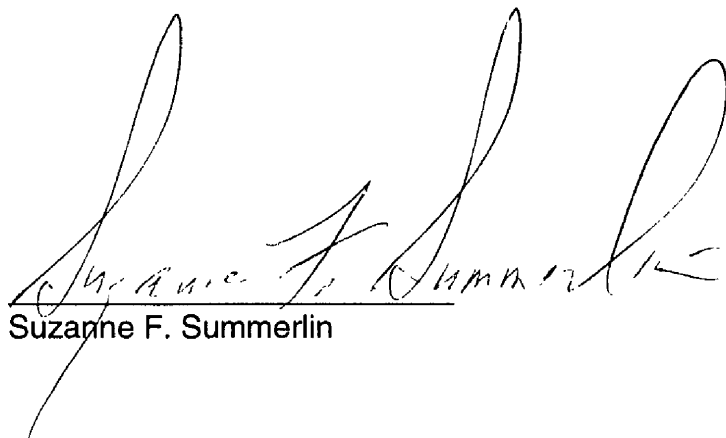
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing IDS Telcom, L.L.C.'s Response to BellSouth Telecommunications, Inc.'s Motion for an Extension of Time was furnished by Facsimile and U.S. Mail this 29<sup>th</sup> day of May, 2001, to:

Nancy B. White, Esq.  
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Suzanne F. Summerlin