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June 15, 2001

**VIA HAND DELIVERY**

Blanca S. Bayo, Director  
Division of Records and Reporting  
Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida 32399-0870

Re: Docket No.: 990649-TP

Dear Ms. Bayo:

On behalf of Z-Tel Communications, Inc., I am enclosing the original and 15 copies of Z-Tel's Response to Joint Motion of WorldCom, AT&T and Covad for a Continuance and Alternative Motion for Extension of Time.

Please return a date stamped copy to me. Thank you for your assistance in this matter.

Yours truly,



Joseph A. McGlothlin

JAM/mls  
Enclosure

MCWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, DECKER, KAUFMAN, ARNOLD & STILES, P.A. 07460 JUN 15 2001

DOCUMENT NUMBER-DATE

FPSC-RECORDS/REPORTING

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Investigation into ) Docket No. 990649-TP  
Pricing of Unbundled Network Elements )  
\_\_\_\_\_ ) Filed: June 15, 2001

**Z-TEL'S RESPONSE TO JOINT MOTION OF WORLDCOM,  
AT&T AND COVAD FOR A CONTINUANCE  
AND  
ALTERNATIVE MOTION FOR EXTENSION OF TIME**

Z-Tel Communications, Inc. ("Z-Tel"), through its undersigned counsel, responds to the Joint Motion of MCI WorldCom Communications, Inc., AT&T Communications of the Southern States, Inc., DIECA Communications Company d/b/a Covad Communications Company (together "Joint Movants") for a continuance of the final hearings in this docket, and states:

1. As is the case with the Joint Movants, Z-Tel's resources currently are severely strained by the demands of regulatory proceedings in this and other jurisdictions. A continuance of the hearing scheduled in this docket is necessary to enable Z-Tel to fully protect its interests, and for the Commission to have an adequate record on which to base a decision as to the appropriate UNE rates in this important docket. However, Z-Tel disagrees that a continuance until February, 2001 is needed or appropriate for that purpose. Z-Tel supports a continuance of 90 to 120 days. Z-Tel believes a continuance of this duration will be sufficient to enable the parties to prepare their cases without unduly delaying the implementation of cost-based UNE rates that will facilitate meaningful competition in the service areas of Verizon and Sprint.

2. Z-Tel opposes a continuance greater than 90/120 days because Verizon's currently effective UNE rates are prohibitively high. Z-Tel intends to initiate operations in Verizon's service area as soon as is economically feasible, but must delay its entry into this market until the current UNE rates are reviewed and modified.

**ALTERNATIVE MOTION FOR SEPARATE HEARINGS  
AND FOR EXTENSION OF TIME**

3. In the event the Commission denies a continuance as to both Verizon and Sprint, then Z-Tel asks the Commission to grant a continuance of 90-120 days for Verizon's hearing, proceed to hear the Sprint-related evidence on July 30, grant an extension of time to file testimony as to Sprint from June 18<sup>th</sup> until July 2, 2001, and extend the deadline for rebuttal testimony from July 2, 2001 until July 16, 2001. Z-Tel respectfully submits that the requested extension is the minimum relief necessary to enable Z-Tel to participate meaningfully in the July hearing. While it may be necessary to reschedule the Prehearing Conference, the granting of this extension would not necessitate the changing of the hearing date.

If the Commission denies a partial continuance, then Z-Tel requests that the extension of two weeks be applicable to testimony addressing both Sprint and Verizon.

Z-Tel has attempted to contact parties regarding their positions on the alternative motion. WorldCom's position on the alternative motion as it relates to the scenario in which the hearing on Verizon would proceed on July 30 is that the proposed extension of two weeks would be inadequate because Verizon has submitted a cost model containing expenses and NCRs in an unusable format. Sprint has no objection to a continuance of the Verizon hearing, but objects to an extension of the deadline for testimony addressing Sprint. Covad opposes bifurcating the proceeding and supports a full continuance of the proceeding. Z-Tel is attempting to contact other parties, but has not completed that process. Z-Tel will endeavor to inform Staff of the other parties' positions as quickly as possible following the filing of this response and alternative motion.

WHEREFORE, Z-Tel supports a continuance of the hearing in this case for a period of 90 to 120 days.

Alternatively, in the event the full continuance is denied, Z-Tel requests the Commission to continue the proceeding as it relates to Verizon for a period of 90-120 days; and, in any event, to extend the deadline for the filing of direct testimony relating to the July 30 hearing from June 18<sup>th</sup> to July 2, 2001; to revise the deadline for the filing of rebuttal testimony from July 2<sup>nd</sup> until July 16, 2001; and to reschedule the date of the Prehearing Conference.

  
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ATTORNEYS FOR Z-TEL COMMUNICATIONS, INC.

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a true and correct copy of Z-Tel's Response to Joint Motion of WorldCom, AT&T and Covad for a Continuance, has been furnished by facsimile and by U.S. mail on this 15<sup>th</sup> day of June 2001 to:

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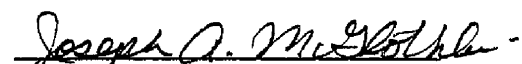
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