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June 18, 2001

ORIGINAL

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

Re: Docket No. 990649-TP
Investigation into Pricing of Unbundled Network Elements

Dear Ms. Bayo:

Please find enclosed for filing an original and fifteen copies of Verizon Florida Inc.'s Reply to Sprint's Response to Motion for Continuance in the above matter. Service has been made as indicated on the Certificate of Service. If there are any questions regarding this filing, please contact me at (813) 483-2617.

Sincerely,

Kimberly Caswell

KC:tas
Enclosures

- APP _____
- CAF _____
- CMP _____
- COM 5
- CTR _____
- EGR _____
- EG 1
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07549 JUN 18 2001

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into Pricing) Docket No. 990649-TP
of Unbundled Network Elements) Filed: June 18, 2001
(Phase III—Verizon/Sprint))
_____)

**VERIZON FLORIDA INC.'S REPLY TO
SPRINT'S RESPONSE TO MOTION FOR CONTINUANCE**

On June 5, 2001, MCI WorldCom, Inc. and its operating subsidiaries (collectively, WorldCom) and AT&T Communications of the Southern States, Inc. (AT&T) filed a Motion for Continuance of this Proceeding. MCI and AT&T correctly indicated that Verizon Florida Inc. (Verizon) did not oppose the Motion.

Sprint-Florida, Incorporated and Sprint Communications Company Limited Partnership (Sprint) responded to the AT&T/MCI Motion on June 12, 2001. Sprint opposes a continuance for its portion of the hearing and is "interested in seeing" Verizon's case proceed on the existing schedule because of Sprint's pending arbitration with Verizon.

Verizon is indifferent as to whether Sprint's case is continued or not. However, Sprint has offered no legitimate reason for the Commission to refuse to grant a continuance of Verizon's case. Sprint filed an arbitration petition against Verizon on June 1, 2001, thus making at least certain UNE rates an issue in that proceeding and forcing the parties to litigate them there. The arbitration will go forward on the timetable set forth in the Telecommunications Act of 1996, regardless of whether the schedule in the UNE case remains the same or not. Sprint will have a full opportunity to address interconnection terms and prices in the context of its arbitration, which is exactly the procedure the Act prescribes and which Sprint itself has chosen. If Sprint had intended

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FPSC-RECORDS/REPORTING

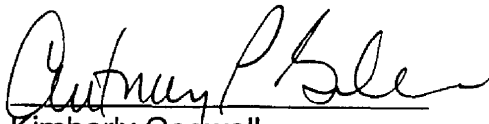
to wait for UNE rates to be set in this generic case, it would presumably not have filed an arbitration petition presenting UNE rate levels as an issue there, too.

Based on past experience, the Commission should be wary of Sprint's efforts to preserve two tracks to litigate the same issues. In 1996, Sprint initiated arbitration of an interconnection agreement with Verizon before this Commission. After forcing the Commission to conduct the arbitration and render a decision, Sprint nullified the entire proceeding by electing a different agreement. In that case, the Commission observed: "We do not believe Congress intended to permit parties to take parallel tracks in arbitration proceedings: one track to pursue the best deal possible in an arbitration, and the other track to keep all options open so that either party can abandon an arbitration order simply because it does not like what it gets." *Petition by Sprint Comm. Co. Limited Partnership for arbitration with GTE Florida Inc.*, Order No. PSC-97-0550-FOF-TP, 97 FPSC 5:299 (1997). The same rationale still holds true. Sprint has again chosen to arbitrate with Verizon, and it has no right to pursue multiple options to resolve the same issues, without regard to the potential burden on Verizon or the Commission.

As the Commission knows, the issue of appropriate cost methodology for UNE ratesetting is still an open issue at the federal level. The continuance AT&T and MCI request at least increases the likelihood that the U.S. Supreme Court will have settled this issue by the time this Commission must take up Verizon's case. Although the parties (including Verizon) and Staff have done significant work on the case to this point, a continuance could well avoid the likely possibility that they will be compelled to do substantially more work that will turn out to be futile in the end.

For these reasons, Verizon urges the Commission to grant the AT&T/MCI Motion for Continuance with regard to Verizon's case.

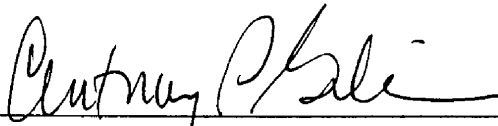
Respectfully submitted on June 18, 2001.

By: 
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of Verizon Florida Inc.'s Reply to Sprint's Response to Motion for Continuance in Docket No. 990649-TP were sent via U.S. mail on June 18, 2001 to the parties on the attached list.



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