

ANDREW SHORE
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BellSouth Telecommunications, Inc.
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August 17, 2001

Mrs. Blanca S. Bayó
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 010302-TP (ALLTEL)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Prehearing Statement, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Andrew D. Shore
Andrew D. Shore (UA)

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

DOCUMENT NUMBER - DATE
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CERTIFICATE OF SERVICE
Docket No. 010302-TP


I HEREBY CERTIFY that a true and correct copy of the foregoing was served via U.S. Mail this 17th day of August, 2001 to the following:

Jason K. Fudge
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
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ALLTEL Comm., Inc.
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One Allied Drive
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Represents ALLTEL

Stephen T. Refsell
Vice President - Law
ALLTEL Corporate Services, Inc.
One Allied Drive
Little Rock, AR 72202



Andrew D. Shore (KA)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by ALLTEL Communications,) Docket No. 010302-TP
Inc. for Arbitration of Certain Open Issues)
in Existing Interconnection Agreement with)
BellSouth Telecommunications, Inc.)
_____) Dated: August 17, 2001

PREHEARING STATEMENT OF BELL SOUTH TELECOMMUNICATIONS, INC.

BellSouth Telecommunications, Inc. ("BellSouth"), in compliance with the Order Establishing Procedure (Order No. PSC-01-112-PC0-TP) issued on May 16, 2001, hereby submits its Prehearing Statement for Docket No. 010302-TP.

A. Witnesses

BellSouth proposes to call the following witness to offer testimony on the issues in this docket:

<u>Witness</u>	<u>Issue(s)</u>
Cynthia K. Cox (Direct and Rebuttal)	All

BellSouth reserves the right to supplement its witness list and to call additional witnesses, witnesses to respond to Commission inquiries not addressed in prefiled testimony, and witnesses to address issues not presently designated that may be designated by the Prehearing Officer at the prehearing conference to be held on August 27, 2001.

B. Exhibits

Cynthia Cox	CKC-1	Issues Matrix
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BellSouth reserves the right to file exhibits to any testimony that may be filed under the circumstances identified in Section "A" above. BellSouth also reserves the right to introduce exhibits for cross-examination, impeachment, or any other purpose authorized by the applicable Florida Rules of Evidence and Rules of this Commission.

C. Statement of Basic Position

The Commission's goal in this proceeding is to resolve each issue that is appropriately before the Commission in this arbitration consistent with the requirements of Section 251 of the Telecommunications Act of 1996 ("1996 Act"), including the regulations prescribed by the Federal Communications Commission ("FCC"). BellSouth and ALLTEL Communications, Inc. ("Alltel") have continued to negotiate in good faith, and have resolved many issues since Alltel filed its request for arbitration with this Commission.

Nevertheless, there remain three issues for which the parties have not been able to reach a solution. BellSouth submits that Alltel's positions on these issues will not withstand close scrutiny. BellSouth believes that its positions are both reasonable and fair. Accordingly, the Commission should adopt BellSouth's position on these issues.

D. BellSouth's Position on the Issues

Issue 1: Should BellSouth be forced to forego the non-recurring charge for Order Coordination – Time Specific service orders if the parties reschedule the conversion because BellSouth is unable to perform the conversion within one hour of the time specified on the order?

Position: The parties have reached an agreement on this issue.

Issue 2: What terms and conditions should govern BellSouth's provisioning of enhanced extended loops ("EELs") and other combinations of network elements to Alltel?

Position: The parties have reached an agreement on this issue.

Issue 3: Can Alltel petition this Commission for a waiver when it seeks to convert tariffed special access services to UNEs or UNE combinations that do not qualify under any of the three safe harbor options set-forth in the agreement?

Position: No. The FCC has ruled that an ALEC may convert special access services to UNE combinations only if it is providing a significant amount of local exchange service to a particular customer, and that that standard is satisfied if it meets one of three safe harbor options. The FCC also recognized that there might be circumstances where a requesting carrier is providing a significant amount of local exchange service but does not qualify under any of the three safe harbor options, and stated that in that event, the requesting carrier could petition the FCC for a waiver. Allowing only the FCC to address waiver petitions makes good sense since the issue is the subject of ongoing proceedings before the FCC.

Issue 4: Should BellSouth's Product and Services Interval Guide be incorporated into the interconnection agreement?

Position: No. BellSouth is required to provision UNEs and interconnection to Alltel in a nondiscriminatory manner, i.e., at parity with what BellSouth provides to its retail customers. The target intervals set forth in the Guide are not the standard for

determining BellSouth's compliance with its legal obligations. Rather, they are intended only to enable an ALEC to establish a due date for its customer that BellSouth expects to be able to meet.

Issue 5: When should enforcement mechanisms for service quality measurements become effective?

Position: Enforcement mechanisms should become effective after BellSouth receives permission to provide interLATA services in Florida. The FCC has made clear that the purpose of enforcement mechanisms is to guard against a Bell Operating Company backsliding in its provision of UNEs and interconnection to ALECs after it begins to provide interLATA services. BellSouth's unconditional legal obligation to provide Alltel with nondiscriminatory access to its network, as well as its desire to be granted permission to offer interLATA services in the state of Florida pursuant to Section 271 of the Telecommunications Act of 1996, provide powerful incentives for BellSouth to comply with its obligations under the Act before it obtains interLATA relief. There is no reason for enforcement mechanisms for service quality measurements to be effective before that time.

Issue 6: What is the relevant period for determining whether penalties for failure to meet service quality measurements should be assessed?

Position: The parties have reached an agreement on this issue.

E. Stipulations

The parties have agreed to proceed without an evidentiary hearing, to waive cross-examination of each other's witness, and to submit this matter to the Commission for a determination based on the pre-filed testimony and briefs to be filed in accordance with the Order Establishing Procedure in this Docket.

F. Pending Motions

None.

G. Other Requirements

None.

Respectfully submitted this 17th day of August 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.

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BellSouth Telecommunications, Inc.)
_____) Dated: August 17, 2001

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determining BellSouth's compliance with its legal obligations. Rather, they are intended only to enable an ALEC to establish a due date for its customer that BellSouth expects to be able to meet.

Issue 5: When should enforcement mechanisms for service quality measurements become effective?

Position: Enforcement mechanisms should become effective after BellSouth receives permission to provide interLATA services in Florida. The FCC has made clear that the purpose of enforcement mechanisms is to guard against a Bell Operating Company backsliding in its provision of UNEs and interconnection to ALECs after it begins to provide interLATA services. BellSouth's unconditional legal obligation to provide Alltel with nondiscriminatory access to its network, as well as its desire to be granted permission to offer interLATA services in the state of Florida pursuant to Section 271 of the Telecommunications Act of 1996, provide powerful incentives for BellSouth to comply with its obligations under the Act before it obtains interLATA relief. There is no reason for enforcement mechanisms for service quality measurements to be effective before that time.

Issue 6: What is the relevant period for determining whether penalties for failure to meet service quality measurements should be assessed?

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G. Other Requirements

None.

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