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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning)
complaint of IDS Telcom LLC against)
BellSouth Telecommunications, Inc.)
regarding breach of interconnection)
agreement)
_____)

DOCKET No. 010740-TP

Filed: September 20, 2001

COMMISSION
CLERK

IDS TELCOM, LLC'S NOTICE OF INTENT TO USE SUMMARIES

IDS Telcom, LLC ("IDS"), respectfully files this Notice of Use Summaries during the September 21, 2001 and October 1, 2001 hearing in the above-captioned matter.

1. Florida Statutes § 90.956 permits a party to present "the contents of voluminous writings, recordings, or photographs...in the form of a chart, summary, or calculation." The use of summaries allows for expeditious and efficient hearing of complex matters before finders of fact such as this Commission.

2. Section 90.956 requires a party intending to use a summary to give timely written notice of its intention to use the summary, and requires the party to make the summary and originals from which the summary is compiled available for examination or copying by other parties at a reasonable time and place.

3. This proceeding is an extremely expedited proceeding, and depositions of IDS's witnesses who will be testifying in person on September 21, 2001, was not completed until 7:25 p.m. on September 17, 2001. It has not been possible for IDS to give this Notice, or to provide copies of

the summaries that it will present, in advance.

4. IDS undertakes to provide copies of the summaries that it intends to present, to BellSouth Telecommunications, Inc., in advance of their use at the hearing in this matter. BellSouth

APP _____
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CMP _____
COM 5 _____
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ECR _____
LEG 1 _____
OPC _____
PAI _____
RGO _____
SEC 1 _____
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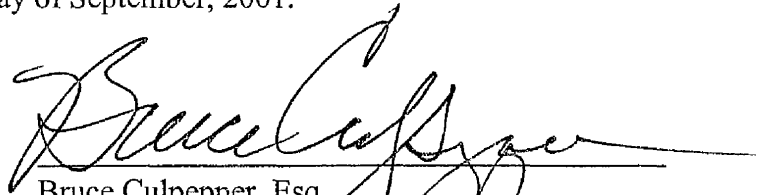
already possesses the data from which the summaries are compiled, because IDS has produced voluminous documents to BellSouth in this matter, and has pre-filed direct and rebuttal testimony in this matter from which the summaries will be compiled. Therefore, there is no prejudice to BellSouth.

5. IDS proposes to display these summaries on the Commission's display screen using PowerPoint software, in an effort to aid the Commission's understanding of the issues in this case.

6. Although the Prehearing Order in this matter stated that "[a]ny issue not raised by a party prior to the issuance of the Prehearing Order shall be waived by that party," for the reasons set forth above, use of summaries which are fully permitted by Florida law would not "be to the prejudice or surprise" of BellSouth.

7. Undersigned counsel has consulted with counsel for BellSouth prior to filing this notice. BellSouth has informed undersigned counsel that BellSouth intends to object to IDS's use of summaries, and to object to IDS's use of the PowerPoint software

Respectfully submitted this 20th day of September, 2001.



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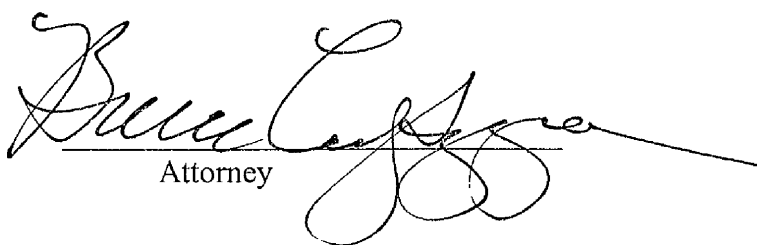
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by hand delivery/facsimile* on this 20th day of September 2001 to:

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James Meza, III, Esq.
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