



Public Service Commission
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DATE: October 9, 2001
TO: Mary A. Bane, Deputy Executive Director/Technical
FROM: Jason Fudge, Staff Counsel *JF*
Sally Simmons, Chief/Market Development *SAS*
RE: Item 4 - Docket No. 010345-TP - Petition by AT&T Communications of the Southern States, Inc., TCG South Florida, and Media One Florida Telecommunications, Inc. for Structural Separation of BellSouth Telecommunications, Inc. into Two Distinct Wholesale and Retail Corporate Subsidiaries.

Staff requests permission to revise the recommendation filed October 4, 2001, regarding BellSouth's Motion to Dismiss AT&T's Petition for Structural Separation of BellSouth. Staff inadvertently failed to reference the fact that FCCA had also filed a Petition similar to AT&T's Petition in this same docket, and that BellSouth has also moved to dismiss that Petition as well. The arguments presented in FCCA's Petition and in BellSouth's Motion to Dismiss are substantially the same as those addressed in AT&T's Petition and BellSouth's Motion pertaining to that Petition. As such, staff believes that it would be expedient to address both of BellSouth's Motions to Dismiss in the same recommendation and that it should not necessitate deferral of the item. Staff does not believe that any parties will be disadvantaged by this revision.

Staff has revised pages 2, 3, 4, 17, and 26 of its recommendation to address BellSouth's Motion to Dismiss FCCA's Petition. The recommendation has been revised in type and strike format and is attached to this memorandum.

O/C
MBB
10/9/01

- cc: William Talbott
Harold McLean
Walter D'Haeseleer
Blanca Bayó
Sally Simmons
Melinda Butler
Bill Berg
Joann Chase
Ignacio Ortiz
Katrina Tew

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