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January 10, 2002

Ms. Blanca S. Bayo, Director
Commission Clerk
and Administrative Services Division
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: Docket No. 011077-TP

The following is provided in response to Staff's memorandum dated December 20, 2002. This memorandum solicits input on the preliminary list of concerns Staff has compiled from interviews conducted with various parties to this Docket.

Verizon Florida, Inc. (Verizon) welcomes the opportunity to engage in open dialogue concerning competitive practices among and between parties to this Docket. However, Verizon questions the efficiencies to be gained from investigating the concerns identified in this Docket, which are nearly identical to those being discussed in the Commission's Collaborative. In the Collaborative, Staff and company representatives developed a list of problems companies experience when working with one another. Then, during interviews with many of the same companies active in the Collaborative, Staff invited interviewees to provide information concerning allegations of "anti-competitive behaviors and practices." These interviews were followed by a memorandum from Staff soliciting documentation detailing anti-competitive behaviors and practices they may have experienced in working with other parties. The interviews and subsequent memorandum, resulted in the list of concerns Staff has compiled in the instant Docket. These two lists as generated in the Collaborative and in the above referenced Docket are nearly identical.

In addition, during a December 12, 2001, conference call regarding the above Docket, Staff described the purpose of this Docket as being an opportunity for

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parties to work together with Staff to find resolution to each of the concerns identified on the list. During this conference call it became apparent to Verizon that the only meaningful difference between this Docket and the Collaborative is that this Docket has the potential to end with parties litigating the various concerns contained on the list. For these reasons, Verizon respectfully questions Staff's desire to commit the Commission's and the parties' limited resources to what appears to be a duplicative effort.

Further, at Chairman Lila Jaber's recent meeting regarding the reorganization of the Public Service Commission (PSC), the Chairman emphasized the PSC's plan to encourage mediation when practical to do so. It is widely known that successful mediation requires a commitment to open dialogue, which is exactly what the Collaborative is designed to do – encourage open dialogue. By requiring the same parties to discuss nearly the same issues in a docketed proceeding that has the potential to end in protracted litigation, Staff is effectively inhibiting participation in the Collaborative. This Docket may serve as a detractor to the companies that voluntarily participate in the Collaborative and have committed to driving each issue to resolution. Further, if resolution is not achieved in the Collaborative, any party at anytime can use existing Commission processes and file a complaint. In Verizon's view, the Collaborative's open format combined with the availability of existing processes (i.e., formal and informal complaint processes and the expedited dispute resolution process) designed to settle disputes between parties should collaboration fail, mitigates the need for this Docket.

Finally, upon review of Staff's interview notes, it is apparent that the ALECs interviewed raise only a few allegations regarding Verizon's competitive behavior. And of these few allegations, all of them are either major policy debates being addressed by the FCC, have already been resolved through the PSC's complaint processes and/or arbitration, or are not under the purview of the PSC's statutory jurisdiction. Additionally, on a few occasions, ALEC participants in the Collaborative have commented positively about Verizon's wholesale operations. As such, Verizon believes that the Collaborative has met with some success in fostering improved relations between Verizon and certain ALEC companies. This success, while marginal, is an indication that the Collaborative is moving in a positive direction and should not be discouraged by the threat of protracted litigation represented with this Docket.

Please note that Verizon does not oppose the opening of this Docket, rather Verizon hopes only to focus attention on the duplication that this Docket will likely produce given the availability of numerous other avenues for addressing the same issues and concerns. Verizon also points out that participation in this Docket may destroy the open dialogue and candor that Collaborative participants have worked hard to achieve.

Thank you for the opportunity to comment on this matter. If you have any questions or concerns, please feel free to contact me at (813) 483-2526.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle A. Robinson". The signature is fluid and cursive, with the first name being the most prominent.

Michelle A. Robinson

MAR:rad