

E. Earl Edenfield, Jr.
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BellSouth Telecommunications, Inc.
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March 1, 2002

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


Re: Docket No. 001097-TP (Supra Complaint)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of the Prehearing Statement of BellSouth Telecommunications, Inc., 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,


E. Earl Edenfield, Jr. (KA)

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

DOCUMENT NUMBER-DATE

02438 MAR-18

FPSC-COMMISSION CLERK

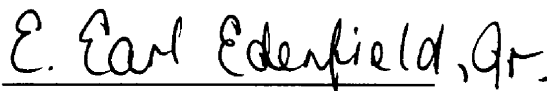
CERTIFICATE OF SERVICE
Docket No. 001097-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail, Facsimile and U.S. Mail this 1st day of March, 2002 to the following:

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E. Earl Edenfield Jr. (KAD)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of BellSouth)	
Telecommunications, Inc. against Supra)	Docket No. 001097-TP
Telecommunications and Information)	
Systems, Inc., for Resolution of Billing)	
Disputes.)	
<hr/>		Filed: March 1, 2002

**PREHEARING STATEMENT OF
BELLSOUTH TELECOMMUNICATIONS, INC.**

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to the Order Setting Matter for Rehearing and Establishing Procedure (Order No. PSC-02-0143-PCO-TP), issued January 31, 2002, files its Prehearing Statement and says:

A. WITNESSES

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

<u>Witness</u>	<u>Issue(s)</u>
Patrick C. Finlen (Direct and Rebuttal)	All
Claude P. Morton (Direct)	1

BellSouth reserves the right to call additional witnesses, witnesses to respond to Commission inquiries not addressed in direct or rebuttal 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 March 14, 2002. BellSouth has listed the witnesses for whom BellSouth believes testimony will be filed, but reserves the right to supplement that list if necessary.

B. EXHIBITS¹

Patrick C. Finlen	PCF-1	BellSouth/Supra Resale Agreement - 6/1/97
	PCF-2	Letter from Reinke to Beck - 10/20/97
	PCF-3	Letter from Fields to Ramos - 10/20/97
	PCF-4	E-mail from Finlen to Ramos
	PCF-5	Letter from Finlen to Ramos - 10/23/97
	PCF-6	Attachment 2 - 10/15/97
	PCF-7	Order No. PSC-99-1092-FOF-TP
	PCF-8	Tariff FCC No. 1 Sections 4.5 - 4.6
	PCF-9	47 CFR 51-617
	PCF-10	Letter from Bentley to Fleming - 3/11/00
	PCF-11	Letter from Smith to Bentley - 3/30/00
	PCF-12	Letter from Bentley to Finlen - 4/10/00
	PCF-13	Letter from Finlen to Bentley - 4/28/00
	PCF -14	Order No. PSC-98-0279-PCO-TX
	PCF-15	Section A4, GSST
	PCF-16	Order No. PSC-98-1001-FOF-TP
Claude P. Morton	CPM-1	BellSouth Master Account Application
	CPM-2	Billing Portion of Supra Order

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

¹ BellSouth has pending a motion requesting that certain testimony be stricken from this docket. Depending on the Commission's decision on that motion, some of Mr. Finlen's exhibits may be withdrawn. In addition, the due date for filing rebuttal testimony was extended, so BellSouth intends to update this Prehearing Statement to include exhibits attached to BellSouth's rebuttal testimony.

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

BellSouth has appropriately and properly billed Supra for End-User Common Line Charges, secondary service charges and for changes in service, unauthorized local service changes, and reconnections under the 1997 Resale Agreement between BellSouth and Supra.

D. BELLSOUTH'S POSITION ON THE ISSUES

Issue 1: Should the rates and charges contained (or not contained) in the 1997 AT&T/BellSouth Agreement apply to the BellSouth bills at issue in this Docket?

Position: No. The 1997 AT&T/BellSouth agreement is not applicable to the BellSouth bills at issue in this docket. The 1997 BellSouth/Supra Resale Agreement governs the BellSouth bills at issue in this docket.

Issue 2: Did BellSouth bill Supra appropriately for End-User Common Line Charges pursuant to the BellSouth/Supra interconnection and resale agreements?

Position: Yes. BellSouth billed Supra appropriately for End-User Common Line Charges pursuant to Section VII (L) of the 1997 BellSouth/Supra Resale Agreement, FCC Tariffs, and FCC rules.

Issue 3: Did BellSouth bill Supra appropriately for changes in services, unauthorized local services and reconnections pursuant to the BellSouth/Supra interconnection and resale agreements?

Position: Yes. BellSouth billed Supra appropriately pursuant to Section VI (F) of the 1997 BellSouth/Supra Resale Agreement.

Issue 4: **Did BellSouth bill Supra appropriately for secondary service charges pursuant to the BellSouth Supra interconnection and resale agreements?**

Position: Yes. BellSouth billed Supra appropriately pursuant to BellSouth's tariffs and Section IV (3) of the 1997 BellSouth/Supra Resale Agreement.

E. STIPULATIONS

None.

F. PENDING MOTIONS

- (1) BellSouth's Motion for Extension of Time to Respond to Supra's Motion to Dismiss (dated February 20, 2002)
- (2) BellSouth's Motion to Strike Portions of the Direct Testimony of Olukayode Ramos and David Nilson (dated February 22, 2002)
- (3) BellSouth's Motion to Extend the Due Date for Filing Rebuttal Testimony (dated February 25, 2002)
- (4) BellSouth's Request for Specified Confidential Classification directed to Nilson testimony and exhibits (dated March 4, 2002)

G. OTHER REQUIREMENTS

None.

H. DECISIONS IMPACTING THE COMMISSION'S JURISDICTION

- (1) *BellSouth Telecommunications, Inc. v. MCImetro Access Transmission Services, Inc.*, Case Nos. 00-12809, 00-12810, 2002 WL 27099 (11th Cir. Jan. 10, 2002).
- (2) *Supra Telecommunications & Information Systems, Inc. v. BellSouth Telecommunications, Inc.*, Case No. 99-1706-CIV-DAVIS/BROWN, Order dated November 12, 1999 and Order dated January 20, 2000.
- (3) *NOW Communications, Inc. v. BellSouth Telecommunications, Inc.*, Case No. 99-12032 (11th Cir. December 28, 1999).

Respectfully submitted this 1st day of March 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.



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