

James Meza III  
Attorney

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(305) 347-5561

March 25, 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 Billing Complaint)**

Dear Ms. Bayó:

On March 20, 2002, BellSouth Telecommunications, Inc. inadvertently filed the attached letter regarding comments made at the March 19, 2002 agenda conference in Docket No. 001305-TP. That letter should have been filed in Docket No. 001097-TP instead. BellSouth asks that you correct this error and place the attached letter in Docket No. 001097-TP and remove it from the record in Docket No. 001305.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me.

Sincerely,

  
James Meza III  
(JM)

Attachment

cc: Kirk Dahlke  
Patricia Christensen  
Marshall M. Criser III  
R. Douglas Lackey  
Nancy B. White

DOCUMENT NUMBER-DATE

03420 MAR 25 02

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 and Federal Express this 25th day of March, 2002 to the following:

Lee Fordham  
Patricia Christensen  
Staff Counsel  
Florida Public Service  
Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
Fax. No. (850) 413-6250  
[cfordham@psc.state.fl.us](mailto:cfordham@psc.state.fl.us)  
[pchriste@psc.state.fl.us](mailto:pchriste@psc.state.fl.us)

Brian Chaiken  
Kirk Dahlke  
Supra Telecommunications &  
Information Systems, Inc.  
2620 S.W. 27th Avenue  
Miami, Florida 33133  
Tel. No. (305) 443-3710  
Fax. No. (305) 443-9516  
[bchaiken@stis.com](mailto:bchaiken@stis.com)  
[kdahlke@stis.com](mailto:kdahlke@stis.com)

Ann H. Shelfer  
Supra Telecommunications &  
Information Systems, Inc.  
1311 Executive Center Drive, Suite  
200  
Tallahassee, FL 32301-5027  
Tel. No. (850) 402-0510  
Fax No. (850) 402-0522  
[ashelfer@stis.com](mailto:ashelfer@stis.com)

  
James Meza III (SM)

James Meza III  
Attorney

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(305) 347-5561

March 20, 2002

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

**RE: Docket No. 001305-TP (Supra)**

Dear Ms. Bayo:

I am writing to clarify a statement that I made regarding the status of the federal court litigation between Supra and BellSouth at the March 19, 2002 agenda. In the presentation addressing BellSouth's Motion to Dismiss certain testimony prefiled by Supra, I informed the Commission panel that the federal court dismissed Supra's claims for breach of the 1997 Resale Agreement and the 1997 Collocation Agreement, but kept jurisdiction of Supra's claims of breach of the 1997 Interconnection Agreement.

After the agenda conference, I became aware that the federal court subsequently dismissed Supra's claims for breach of the 1997 Interconnection Agreement as well. My lack of full knowledge resulted from the fact that I am not handling that specific litigation between the parties. I now understand that the federal court has retained jurisdiction over two of Supra's claims: (1) a claim of fraud and damages relating to the adoption of the 1997 Interconnection Agreement; and (2) a claim for tortious interference with its customers.

This fact does not invalidate the arguments made by BellSouth regarding the potential for inconsistent findings of fact between this docket and the federal court litigation. This is so because, even as the federal court case is currently postured, Supra has asked that court to resolve certain factual allegations that it is also interjecting in this proceeding. While BellSouth does not agree that all of these issues are properly before the federal court, BellSouth cannot be certain that the court will agree with BellSouth's position.

Although the Commission ultimately denied BellSouth's Motion to Strike, I wanted to clarify the status of the federal court litigation.

Sincerely,

A handwritten signature in black ink that reads "James Meza III". The signature is written in a cursive style with a distinct "III" at the end.

James Meza III

(KA)

cc: Patty Christensen  
Kirk Dahkle  
All Parties of Record