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June 26, 2002

VIA HAND DELIVERY

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COMMISSION
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Re: Docket No.: 020119-TL

Dear Ms. Bayo:

On behalf of the Florida Competitive Carriers Associations, enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Florida Competitive Carriers Association's Petition to Intervene.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

Sincerely,



Joseph A. McGlothlin

JAM/mls
Enclosure

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McWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, DECKER, KAUFMAN, ARNOLD & STEEN, P.A.

DOCUMENT NUMBER-DAT
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FPSC 000298 ON CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Digital Network,
Inc., for Expedited Review and Cancellation
of BellSouth Telecommunication Inc.'s
Key Customer Promotional Tariffs
and for an Investigation of BellSouth
Telecommunication Inc.'s Promotional
Pricing and Marketing Practices.

Docket No. 020119-TL

Filed: June 26, 2002

FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S
PETITION TO INTERVENE

Pursuant to Rule 25-22.039, Florida Administrative Code, Florida Competitive Carriers Association ("FCCA"), through its undersigned counsel, submits its Petition to Intervene and states:

1. Copies of all pleadings, notices, and orders in this Docket should be provided to:

Joseph A. McGlothlin
jmcglothlin@mac-law.com

Vicki Gordon Kaufman
vkaufman@mac-law.com

McWhirter Reeves McGlothlin Davidson Decker
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2. The FCCA is a Florida not-for-profit corporation, whose members provide competitive telecommunications services in the state. Collectively, the members of the FCCA are a group of competitors of BellSouth whose interests are substantially affected by BellSouth's offer of the Key Customer promotion to the FCCA members' subscribers. Thus, the FCCA has standing to file this proceeding.

3. Disputed issues of material fact in this proceeding include, but are not limited to:

a. Whether BellSouth is engaging in anti-competitive practices and behaviors in Florida through its promotional pricing and marketing practices contained in BellSouth's " Key Customer" tariff.

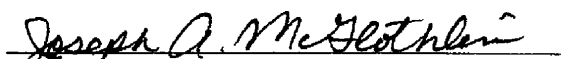
b. The actions, if any, which the Commission should take to afford appropriate remedies for anti-competitive practices and behaviors committed by BellSouth.

4. Subject to further development through discovery and testimony in this proceeding. Petitioners adopt and incorporate by reference the ultimate facts supporting relief alleged by FDN in FDN's Petition for an Investigation of BellSouth's Promotional Pricing and Marketing Practices and Cancellation of BellSouth's Key Customer Promotional Tariffs filed February 14, 2002.

5. The petitioners are entitled to relief pursuant to, but not limited to, the following: Sections 364.01(a), (c) and (g); 364.051(5); 364.08; 364.09 and 364.10, Florida Statutes.

6. Any determinations and actions in this docket regarding BellSouth's anti-competitive behavior and practices will affect the substantial interests of the FCCA members as ALECs operating in Florida. Moreover, such interests are precisely those which the cited statutes are designed to protect. Granting the FCCA leave to intervene in this docket will provide the Commission with greater insight into the problems encountered by ALECs in the marketplace, as well as provide FCCA the opportunity to seek redress on behalf of its members for BellSouth's anti-competitive behavior. Thus, the petitioners have standing under Chapter 120, Florida Statutes and applicable rules to be granted intervention in this proceeding.

WHEREFORE, the Florida Competitive Carriers Association requests the Commission to enter an Order authorizing it to intervene as a full party to this proceeding.



Joseph A. McGlothlin

Vicki Gordon Kaufman

Timothy J. Perry

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Attorneys for the Florida Competitive Carriers
Association

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Florida Competitive Carriers Association's Petition to Intervene has been furnished by (*) hand delivery or by U. S. Mail on this 26th day of June 2002 to the following:

(*) Felicia Banks
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