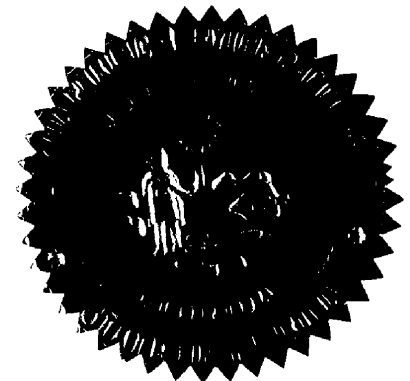


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 020129-TP

In the Matter of

JOINT PETITION OF US LEC OF FLORIDA,
INC., TIME WARNER TELECOM OF FLORIDA,
L.P., AND ITC^DELTACOM COMMUNICATIONS
OBJECTING TO AND REQUESTING SUSPENSION
OF PROPOSED CCS7 ACCESS ARRANGEMENT
TARIFF FILED BY BELLSOUTH
TELECOMMUNICATIONS, INC.



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THE .PDF VERSION INCLUDES PREFILED TESTIMONY.

PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER BRAULIO L. BAEZ
 Prehearing Officer

DATE: Monday, August 19, 2002

TIME: Commenced at 1:35 p.m.
 Concluded at 1:43 p.m.

PLACE: Betty Easley Conference Center
 Room 148
 4075 Esplanade Way
 Tallahassee, Florida

REPORTED BY: TRICIA DeMARTE
 Official FPSC Reporter
 (850) 413-6736

DOCUMENT NUMBER: 08759
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1 APPEARANCES:

2 MARTIN P. McDONNELL and KENNETH A. HOFFMAN, Rutledge,
3 Ecenia, Underwood, Purnell & Hoffman, P. O. Box 511, 215 South
4 Monroe Street, Suite 420, Tallahassee, Florida 32302-0551,
5 appearing on behalf of US LEC, Time Warner, and ITC^DeltaCom.

6 PATRICK TURNER, BellSouth Telecommunications, Inc.,
7 c/o Nancy Sims, 150 South Monroe Street, Suite 400,
8 Tallahassee, Florida 32301, appearing on behalf of BellSouth
9 Telecommunications, Inc.

10 DONNA CANZANO McNULTY, 325 John Knox Road, The Atrium
11 Building, Suite 105, Tallahassee, Florida 32303, and DULANEY
12 O'ROARK, III, Worldcom, Inc., 6 Concourse Parkway, Suite 3200,
13 Atlanta, Georgia 30328, appearing on behalf of WorldCom, Inc.

14 ADAM J. TEITZMAN and JASON K. FUDGE, FPSC General
15 Counsel's Office, 2540 Shumard Oak Boulevard, Tallahassee,
16 Florida 32399-0850, appearing on behalf of the Commission
17 Staff.

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P R O C E E D I N G S

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2 COMMISSIONER BAEZ: We'll call this prehearing to
3 order. Counsel, would you read the notice, please.

4 MR. TEITZMAN: Pursuant to notice issued August 1st,
5 2002, this time and place has been set for a prehearing in
6 Docket Number 020129-TP, joint petition of US LEC of Florida,
7 Inc., Time Warner Telecom of Florida, and ITC^DeltaCom
8 Communications objecting to and requesting suspension of
9 proposed CCS7 access arrangement tariff filed by BellSouth
10 Telecommunications.

11 COMMISSIONER BAEZ: Thank you. We'll take
12 appearances.

13 BellSouth.

14 MR. TURNER: Thank you, Commissioner Baez. I'm
15 Patrick Turner; I represent BellSouth.

16 COMMISSIONER BAEZ: Mr. McDonnell.

17 MR. McDONNELL: My name is Marty McDonnell and along
18 with Ken Hoffman, I represent US LEC of Florida and
19 ITC^DeltaCom.

20 MS. McNULTY: I'm Donna McNulty with WorldCom, Inc.
21 I'd like to enter an appearance also for Dulaney O'Roark who
22 will be participating possibly at the hearing.

23 COMMISSIONER BAEZ: And we don't have anybody on the
24 phone today, do we?

25 MR. TEITZMAN: No, Commissioner.

1 COMMISSIONER BAEZ: No? Okay, great.

2 MR. TEITZMAN: Adam Teitzman and Jason Fudge on
3 behalf of the Commission.

4 COMMISSIONER BAEZ: Thank you. Mr. Teitzman, we have
5 some preliminary matters?

6 MR. TEITZMAN: I don't believe so.

7 COMMISSIONER BAEZ: Parties, anything needs to be
8 raised preliminarily that we don't know about at this point?

9 MR. TURNER: Nothing for BellSouth.

10 COMMISSIONER BAEZ: Okay. We'll move on to the
11 order. Two points: Are all the parties all right with
12 ten-minute opening statements? I think that's already stated
13 in the draft; is that right?

14 MR. TEITZMAN: That's correct.

15 COMMISSIONER BAEZ: You're okay --

16 MR. McDONNELL: We're fine with that.

17 COMMISSIONER BAEZ: As always, feel free to make them
18 shorter, but we'll try and give you as much time as we can
19 offer.

20 Secondly, we'll take direct and rebuttal together. I
21 noticed some witnesses only have rebuttal testimony, and they
22 will be handled accordingly.

23 Quickly, any comments or changes need to be made on
24 Sections I through V of the draft order? If nobody speaks up,
25 I'll just take it as a given that there's no comments

1 necessary.

2 Moving on to the order of witnesses. Mr. McDonnell,
3 are your witnesses in order?

4 MR. McDONNELL: Yes, Commissioner Baez.

5 COMMISSIONER BAEZ: Are we okay?

6 MR. McDONNELL: Yes.

7 COMMISSIONER BAEZ: Ms. McNulty, you've only got one
8 witness, so --

9 MS. McNULTY: So that's fine.

10 COMMISSIONER BAEZ: -- he'll go first for you; right?

11 MS. McNULTY: That's right.

12 COMMISSIONER BAEZ: Mr. Turner.

13 MR. TURNER: Yes, sir.

14 COMMISSIONER BAEZ: Are you all right?

15 MR. TURNER: We would like to suggest moving
16 Mr. Randklev who is listed next to last --

17 COMMISSIONER BAEZ: Uh-huh.

18 MR. TURNER: -- moving him after Mr. Greene and
19 before Mr. Milner. The reason for that is, Mr. Greene and
20 Mr. Randklev both address billing type issues. And I've spoken
21 to co-counsel -- or opposing counsel, and they have no
22 objection. And I don't believe staff has an objection.

23 MR. TEITZMAN: No objection.

24 COMMISSIONER BAEZ: Great, Mr. Turner. Then the
25 record will reflect and the final order will reflect

1 Mr. Randklev's testimony to follow Mr. Greene and precede
2 Mr. Milner.

3 MR. TURNER: Thank you.

4 COMMISSIONER BAEZ: Any other changes, Mr. Turner?

5 MR. TURNER: Not in that section.

6 COMMISSIONER BAEZ: Great. Thank you. Moving on to
7 the basic positions.

8 Mr. McDonnell, do you have any changes that you need
9 to make?

10 MR. McDONNELL: No changes.

11 COMMISSIONER BAEZ: Okay. I caught a -- either it's
12 a mis-- a typo here on the -- what is it, five lines up? It
13 should be "their third party customers."

14 MR. McDONNELL: On Page? I'm sorry.

15 COMMISSIONER BAEZ: It's Page 6, the basic positions.
16 We'll just let Mr. Teitzman, if you can, check for typos. That
17 was just one that I had.

18 Anyway, WorldCom.

19 MS. McNULTY: No changes.

20 COMMISSIONER BAEZ: You're okay?

21 Mr. Turner.

22 MR. TURNER: Yes, sir. We apparently forgot how to
23 spell no and spelled it Y-E-S once. I'm on Page 11 of the
24 order. Issue 6, which is basically, is more than one carrier
25 billed --

1 COMMISSIONER BAEZ: Hold on, Mr. Turner.

2 MR. TURNER: Yes, sir.

3 COMMISSIONER BAEZ: We were still on the basic
4 positions, but if you have --

5 MR. TURNER: I'm sorry. I apologize.

6 COMMISSIONER BAEZ: -- if there's changes that you
7 need to make, I mean, let's keep the order going.

8 And, Mr. McDonnell, do you have changes to the
9 issues --

10 MR. McDONNELL: No changes.

11 COMMISSIONER BAEZ: -- issue positions?

12 MR. McDONNELL: No changes. Thank you.

13 COMMISSIONER BAEZ: Ms. McNulty.

14 MS. McNULTY: Everything is fine.

15 COMMISSIONER BAEZ: Everything is fine. Okay. Sorry
16 about that, Mr. Turner.

17 MR. TURNER: I'm sorry. No, it was my mistake.

18 COMMISSIONER BAEZ: You were saying Page 11.

19 MR. TURNER: Yes, sir. Page 11, Issue 6 which
20 basically asked if more than one carrier is billed for the same
21 segment. That answer should be no. Staff put it in word for
22 word the way we had it in our prehearing statement. We just
23 simply mistakenly put "yes" when our position is no.

24 COMMISSIONER BAEZ: Okay. So yes means no, at least
25 here.

1 MR. McDONNELL: We're back in court.

2 COMMISSIONER BAEZ: Any other changes? I'm sorry?

3 MR. McDONNELL: I said, we're back in court.

4 COMMISSIONER BAEZ: You're back in court.

5 MR. McDONNELL: Yes means no.

6 COMMISSIONER BAEZ: That's right.

7 MR. McDONNELL: Is that the only change to that
8 paragraph? I'm sorry.

9 COMMISSIONER BAEZ: I'm sorry, Mr. Turner. Is that
10 the only change to that statement?

11 MR. TURNER: The rest of it looks fine.

12 COMMISSIONER BAEZ: Okay. Do you have any other
13 changes?

14 MR. TURNER: No, sir.

15 COMMISSIONER BAEZ: The rest of the issue positions
16 are okay? All right.

17 MR. TURNER: Yes, sir.

18 COMMISSIONER BAEZ: Section IX, the exhibit list.
19 Any changes, Mr. McDonnell, Ms. McNulty?

20 MR. McDONNELL: No.

21 COMMISSIONER BAEZ: No.

22 Ms. McNulty.

23 MS. McNULTY: No changes for WorldCom.

24 COMMISSIONER BAEZ: No.

25 Mr. Turner.

1 MR. TURNER: No, sir.

2 COMMISSIONER BAEZ: No proposed stipulations. We
3 don't have any pending motions; is that correct?

4 MR. TEITZMAN: That is correct.

5 COMMISSIONER BAEZ: Okay. And then the
6 confidentiality matters, would you have a problem dealing with
7 them on the finals -- in the final draft as part of the
8 prehearing? And if staff has any other -- I mean, if staff has
9 a problem with that, just let me know; otherwise, we can deal
10 with the confidentiality rulings as part of the prehearing
11 order; is that right?

12 MR. TEITZMAN: That is fine.

13 MS. McNULTY: Commissioner Baez?

14 COMMISSIONER BAEZ: Yes, ma'am.

15 MS. McNULTY: I would just like to point out a
16 clarification on Number 2, WorldCom's request.

17 COMMISSIONER BAEZ: Uh-huh.

18 MS. McNULTY: We actually filed a claim and will be
19 filing an actual request at some point in the future. So if
20 you intend to grant such a motion, it's not exactly -- we
21 haven't filed a request at this time.

22 COMMISSIONER BAEZ: Okay. Thank you. All right.
23 Mr. Teitzman, is there anything on the table at this point?

24 MR. TEITZMAN: That should be it.

25 COMMISSIONER BAEZ: Are we okay? All right. Do we

1 need to change -- well, you'll be filing a request in time for
2 this to be accurate; is that --

3 MS. McNULTY: It just depends on my schedule when I
4 could file the request.

5 COMMISSIONER BAEZ: Okay. Just get together with
6 staff --

7 MS. McNULTY: I'll get together with staff.

8 COMMISSIONER BAEZ: -- and make sure that the timing
9 works out for everybody.

10 Great. If there's nothing further, we can adjourn.
11 Thank you all.

12 (Prehearing conference concluded at 1:43 p.m.)

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1 STATE OF FLORIDA)

2 : CERTIFICATE OF REPORTER

3 COUNTY OF LEON)

4

5 I, TRICIA DeMARTE, Official Commission Reporter, do hereby
6 certify that the foregoing proceeding was heard at the time and
7 place herein stated.

6

7 IT IS FURTHER CERTIFIED that I stenographically
8 reported the said proceedings; that the same has been
9 transcribed under my direct supervision; and that this
10 transcript constitutes a true transcription of my notes of said
11 proceedings.

9

10 I FURTHER CERTIFY that I am not a relative, employee,
11 attorney or counsel of any of the parties, nor am I a relative
12 or employee of any of the parties' attorneys or counsel
13 connected with the action, nor am I financially interested in
14 the action.

12

13 DATED THIS 20th DAY OF AUGUST, 2002.

13

14

Tricia DeMarte

15

TRICIA DeMARTE

16

FPSC Official Commission Reporter
(850) 413-6736

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