

# AUSLEY & MCMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET  
P.O. BOX 391 (ZIP 32302)  
TALLAHASSEE, FLORIDA 32301  
(850) 224-9115 FAX (850) 222-7560

February 4, 2003

## BY HAND DELIVERY

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Docket No. 990649B-TP

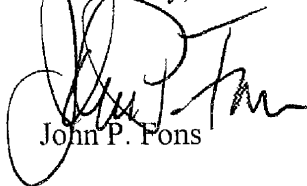
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Sprint-Florida, Incorporated's Response in Opposition to Joint Request for Oral Argument of Florida Digital Network, Inc. and KMC Telecom III, LLC.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Yours truly,



John P. Fons

Enclosures

cc: All parties of record

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DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into  
Pricing of Unbundled Network  
Elements

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DOCKET NO. 990649B-TP  
FILED: February 4, 2003

**SPRINT-FLORIDA, INCORPORATED'S RESPONSE IN OPPOSITION  
TO JOINT REQUEST FOR ORAL ARGUMENT OF FLORIDA  
DIGITAL NETWORK, INC. AND KMC TELECOM III, LLC.**

Sprint-Florida, Incorporated ("Sprint"), pursuant to Rule 28-106.204, Florida Administrative Code ("F.A.C."), respectfully opposes the Joint Request for Oral Argument ("Oral Argument Request") filed by Florida Digital Network, Inc. ("FDN") and KMC Telecom III, LLC. ("KMC"), stating as follows:

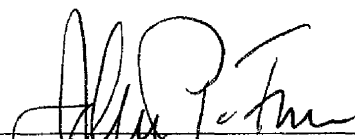
1. FDN and KMC make a request for oral argument on their Joint Motion for Reconsideration, which is bottomed on an assertion that there was little participation by FDN, KMC and other ALECs in the record development portion of this proceeding and that the involvement of FDN and KMC through oral argument in the consideration of the Motion will enable the Commission to fully understand and explore the competitive issues and consequences of the Sprint UNE Order. Oral Argument Request, p. 1. Oral argument, of course, shall be granted solely at the discretion of the Commission. Rule 25-22.060, F.A.C. However, the party requesting oral argument must state "with particularity why oral argument would aid the Commission in comprehending and evaluating" reconsideration. Rule 25-22.058(1), F.A.C. FDN and KMC's Oral Argument Request fails in this respect.

2. FDN and KMC's rationale for oral argument, as outlined above, is, at best, self-serving. Again, FDN and KMC have brought little to the process and, as they have in their Post-Hearing Brief and their Motion for Reconsideration ("Motion"), are simply seeking another

opportunity to address matters that were already considered by the Commission or are outside the record upon which the Commission rendered its decision in this matter. There is nothing in their Motion - which is nothing more than a rehash of their Post-Hearing Brief - that the Commission cannot "comprehend or evaluate" without an oral explanation by FDN and KMC.

WHEREFORE, the Commission should deny FDN and KMC's Oral Argument Request. .

Respectfully submitted this 4th day of February, 2003.



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JOHN P. FONS  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, Florida 32302  
(850) 224-9115

and

SUSAN MASTERTON  
Sprint-Florida, Incorporated  
P. O. Box 2214  
Tallahassee, Florida 32316  
(850) 847-0244

ATTORNEYS FOR SPRINT-FLORIDA,  
INCORPORATED

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by e-mail transmission, U. S. Mail, or hand delivery(\*) this 4th day of February, 2003, to the following:

Beth Keating \*  
Jason Fudge  
Division of Legal Services  
Florida Public Service Comm.  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Nancy B. White  
c/o Nancy Sims  
BellSouth Telecommunications  
150 S. Monroe St., Suite 400  
Tallahassee, FL 32301-1556

Laura King/Todd Brown \*  
Florida Public Service Comm.  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Tracy Hatch/Floyd Self  
Messer, Caparello & Self  
P. O. Box 1876  
Tallahassee, FL 32302

Donna C. McNulty  
MCI WorldCom  
1203 Governors Square Blvd.  
Suite 201  
Tallahassee, FL 32301-2960

John D. McLaughlin, Jr.  
KMC Telecom, Inc.  
1755 North Brown Road  
Lawrenceville, GA 30043

Michael A. Gross  
Florida Cable Telecommunications  
Assoc., Inc.  
246 East 6<sup>th</sup> Avenue  
Tallahassee, FL 32303

Z-Tel Communications, Inc.  
Joseph McGlothlin  
McWhirter, Reeves, et al.  
117 South Gadsden Street  
Tallahassee, FL 32301

Matthew Feil  
Florida Digital Network, Inc.  
390 North Orange Ave., Suite 2000  
Orlando, FL 32801

Catherine F. Boone  
COVAD  
10 Glenlake Parkway  
Suite 650  
Atlanta, GA 30328

Kimberly Caswell  
Verizon  
P. O. Box 110, FLTC0007  
Tampa, FL 33601-0110

Charles Beck  
Office of Public Counsel  
c/o The Florida Legislature  
111 W. Madison Street., Room 812  
Tallahassee, FL 32399-1400

Broadslate Networks of Fla., Inc.  
c/o John Spilman  
585 Loblolly Lane  
Charlottesville, VA 22903

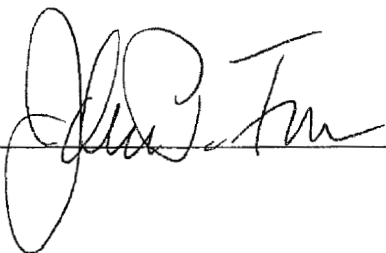
Scott Sapperstein  
Intermedia Communications, Inc.  
One Intermedia Way (MC:FLT HQ3)  
Tampa, FL 33647-1752

Mark Buechele  
Supra Telecom  
Koger Cntr-Ellis Bldg, Ste 200  
1311 Executive Center Drive  
Tallahassee, FL 33201-5027

Richard Guepe  
AT&T Communications  
101 N. Monroe St., Suite 700  
Tallahassee, FL 32301

Harisha J. Bastiampillai  
Michael Sloan  
Swidler Berlin Shereff Friedman  
The Washington Harbour  
3000 K Street, NW, Suite 300  
Washington, DC 20007-5116

Genevieve Morelli  
Andrew M. Klein  
Kelley Drye & Warren LLP  
1200 Nineteenth St., N.W.  
Washington, DC 20036

Attorney 

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