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MEREDITH E. MAYS Senior Regulatory Counsel

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BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (404) 335-0750

July 28, 2003

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

CEVED TPSC 28 PM 4: 41

Re: <u>Docket No. 030300-TP</u> (Petition of the Florida Public <u>Telecommunications Association for Expedited Review of</u> <u>BellSouth Telecommunications Inc.'s Tariffs With Respect to</u> <u>Rates for Payphone Line Access, Usage, and Features</u>)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s List of Proposed Issues, which we ask that you file in the captioned matter.

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, RECEIVED & FILED FPSC-BUREAU OF RECORDS Meredith E. Mays

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

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CERTIFICATE OF SERVICE DOCKET NO. 030300-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

Electronic Mail and U.S. Mail this 28th day of July, 2003 to the following:

Linda Dodson Staff Counsel David L. Dowds Division of Competitive Markets & Enforcement Florida Public Service Commission Division of Legal Services 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 Tel. No.: 850 413-6216 Idodson@psc.state.fl.us ddowds@psc.state.fl.us

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Meredith E. Mays (UA)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In Re:

Petition of Florida Public Telecommunications Association for Expedited Review of BellSouth Telecommunications, Inc.'s Tariffs With respect to Rates for Payphone Line Access, Usage, and Features

Docket No. 030300-TP

Filed: July 28, 2003

BELLSOUTH TELECOMMUNICATIONS, INC.'S LIST OF PROPOSED ISSUES

In accordance with the Memorandum issued in this docket on July 18, 2003, BellSouth Telecommunications, Inc. ("BellSouth") respectfully submits the following list of proposed issues for consideration in this docket. The issues stated herein are preliminary in nature and are made consistent with the Commission's July 18, 2003 Memorandum. In the event that additional issues are identified or discussed during the meeting scheduled to occur on July 29, 2003, BellSouth reserves the right to supplement, revise, or modify this list. BellSouth's proposed issues are:

- 1. Should the Commission consider the refund aspect of the Florida Public Telecommunications Association ("FPTA") complaint)?
 - A. Should the filed rate doctrine bar the FPTA's refund claims?
 - B. Should the prohibition against retroactive ratemaking bar the FPTA's refund claims?
 - C. Should any other legal or regulatory doctrine bar the FPTA's refund claims?

Note --- It is BellSouth's position that the Commission can and should resolve BellSouth's proposed Issue 1 through the submission of legal briefs and that a hearing is not needed on this issue.

- 2. Should the Commission adopt new pay telephone access service ("PTAS") rates that BellSouth will charge payphone service providers ("PSPs") on a prospective basis?
- 3. If the Commission adopts new PTAS rates that BellSouth will charge PSPs on a prospective basis, what are the appropriate tariffed rate(s)?

Note – BellSouth has attempted to resolve issues 2 and 3 with the FPTA and remains willing to do so. If this issue were resolved, then no hearing would be necessary. BellSouth suggests that a timeframe be established in which to conclude such negotiations.

Respectfully submitted this 28th day of July, 2003.

BELLSOUTH TELECOMMUNICATIONS, INC.

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