# Hopping Green & Sams

Attorneys and Counselors

Writer's Direct Dial Number (850) 425-2313

July 29, 2003

### **BY HAND DELIVERY**

Blanca Bayó Director, Office of the Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re: Docket No. 030103-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of MCImetro Access Transmission Services, LLC and MCI WorldCom Communications, Inc. (MCI) and BellSouth Telecommunications, Inc. (BellSouth) are the original and fifteen copies of their Joint Motion for Stay.

By copy of this letter, this document has been furnished to the parties on the attached certificate of service.

Please stamp and return the enclosed extra copy of this filing. If you have any questions regarding this filing, please give me a call at 425-2313.

Very truly yours,

Prie D. Men

Richard D. Melson

RDM/mee Enclosures cc: Certificate of Service

DOCUMENT NUMBER DATE

0 6 8 3 4 JUL 29 3 850.222.7500 6 850.224.8551 fax www.hgslaw.com

Post Office Box 6526 Tallahassee, Florida 32314 123 South Calhoun Street (32301)

FPSC-Cold IISGION CLERK

#### **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Request for arbitration concerning ) complaint of MCImetro Access ) Transmission Services, LLC and ) MCI WORLDCOM Communications, Inc. ) against BellSouth Telecommunications, Inc, ) for alleged breach of interconnection ) agreements with respect to rates charged ) for certain high-capacity circuits )

Docket No. 030103-TP ... Filed: July 29, 2003

#### JOINT MOTION FOR STAY OF PROCEEDINGS

MCImetro Access Transmission Services, LLC and MCI WorldCom Communications, Inc. (collectively, "MCI") and BellSouth Telecommunications, Inc. ("BellSouth") hereby jointly move the Commission for a stay of the proceedings in this case. As grounds for their motion, the parties state the following:

1. The parties entered into a Settlement Agreement effective July 25, 2003 addressing a number of claims between the parties, including the claims MCI has raised in this case. The Settlement Agreement provides that MCI will dismiss this action with prejudice, provided, among other things, that the court presiding over MCI's bankruptcy proceedings issues an order approving the settlement and certain subsequent events take place.

2. Because there is a strong likelihood that this dispute will be resolved without the need for further involvement by the Commission, proceeding further at this stage in all likelihood would waste the resources of the Commission and the parties.

3. The parties therefore request that this action be stayed until (a) MCI dismisses the action with prejudice; or (b) one or both of the parties notify the Commission that the case has not been settled, necessitating its recommencement. If settlement is not achieved and further

proceedings are therefore required, the parties will submit a joint proposed procedural schedule,

or (if they are unable to agree on a schedule) separate proposed procedural schedules, which

would include, among other things, additional time for the completion of discovery.

WHEREFORE, the parties respectfully request that their Joint Motion be granted.

RESPECTFULLY SUBMITTED this 29th day of July, 2003.

MCIMETRO ACCESS TRANSMISSION SERVICES, LLC and MCI WORLDCOM, COMMUNICATIONS, INC. BELLSOUTH TELECOMMUNICATIONS, INC.

By: Pier D. Mese

RICHARD D. MELSON Hopping Green & Sams P.O. Box 6526 Tallahassee, FL 32314 (850) 425-2313

DULANEY L. O'ROARK III WorldCom, Inc. Six Concourse Parkway, Suite 3200 Atlanta, GA 30328 (770) 284-5498

DONNA C. McNULTY WorldCom, Inc. 1203 Governors Square Blvd., Suite 201 Tallahassee, FL 32301 (850) 219-1008

By: Margy B. White / Rom

NANCY B. WHITE JAMES MEZA III BellSouth Telecommunications, Inc. c/o Nancy H. Sims 150 South Monroe Street, Suite 400 Tallahassee, FL 32301

R. DOUGLAS LACKEY MEREDITH E. MAYS BellSouth Telecommunications, Inc. Suite 4300, BellSouth Center 675 West Peachtree Street, N.E. Atlanta, GA 30375

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing was furnished by E-Mail and U.S. Mail

this 29th day of July, 2003, to the following:

Linda Dodson Staff Attorney Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 ldodson@psc.state.fl.us

Nancy B. White James Meza III BellSouth Telecommunications, Inc. c/o Nancy H. Sims 150 South Monroe Street, Suite 400 Tallahassee, FL 32301 nancy.white@bellsouth.com james.meza@bellsouth.com nancy.sims@bellsouth.com

R. Douglas Lackey Meredith E. Mays BellSouth Telecommunications, Inc. Suite 4300, BellSouth Center 675 West Peachtree Street, N.E. Atlanta, GA 30375 douglas.lackey@bellsouth.com meredith.mays@bellsouth.com

Dulaney L. O'Roark III WorldCom, Inc. Six Concourse Parkway, Suite 3200 Atlanta, GA 30328 de.oroark@mci.com

Donna C. McNulty WorldCom, Inc. 1203 Governors Square Blvd., Suite 201 Tallahassee, FL 32301 donna.mcnulty@mci.com

Pre D. Meso Attorney