

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Implementation of requirements arising ) Docket No. 030851-TP  
From Federal Communications Commission )  
Triennial UNE review: Local Circuit Switching )  
For Mass Market Customers )  
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In re: Implementation of requirements arising ) Docket No. 030852-TP  
From Federal Communications Commission )  
Triennial UNE review: Location Specific-Review )  
For DS1, DS3 and Dark Fiber Loops and )  
Route-Specific Review for DS1, DS3 and )  
Dark Fiber Transport ) Filed: October 3, 2003  
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**SPRINT'S RESPONSE TO VERIZON FLORIDA, INC.'S  
RESPONSE TO ORDERS ESTABLISHING PROCEDURE**

Pursuant to Rule 28-106.204, Florida Administrative Code, Sprint-Florida, Incorporated and Sprint Communications Company Limited Partnership (collectively, "Sprint") hereby respond to the Response of Verizon-Florida, Inc. ("Verizon") to Orders Establishing Procedure<sup>1</sup> as set forth herein.

1. Verizon suggests that the Commission allow for an expedited initial review of the FCC's mandated triggers for both the mass market switching impairment analysis and the high capacity loop and transport impairment analyses. Sprint does not disagree that administrative efficiency may result from an evaluation of the triggers before considering operational and economic bases for a finding of no impairment. Sprint disagrees, however, that the existence of triggers can be properly evaluated in the time frames suggested by Verizon. As suggested by BellSouth Telecommunications, Inc. (BellSouth)

<sup>1</sup> While Verizon couched its filing as a response, it relied on Rule 28-106.204, Florida Administrative Code, relating to Motions. Sprint is responding to the filing as such.

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and the Florida Competitive Carriers Association (FCCA) in their Joint Emergency Motion to Amend Procedural Schedule, a determination of whether the triggers are met will be require significant and time consuming discovery.

2. The Commission's procedural order allows 15 calendar days to respond to discovery requests. While Sprint appreciates the Commission's intent to expedite the discovery process, Sprint does not believe that 15 days will be sufficient for companies to gather and provide much of the detailed information that may be requested as part of the discovery process. However, Sprint agrees that there is a need to reach collaborative agreements regarding discovery and confidentiality at the outset of these proceedings that will facilitate the process and avoid wasteful and unnecessary duplication of effort. Timeframes for responses, distribution of confidential materials for the purposes of hearing preparation and methods for obtaining discovery from nonparticipants are issues that may be addressed as part of this collaborative process.

## **HIGH CAPACITY LOOPS AND TRANSPORT**

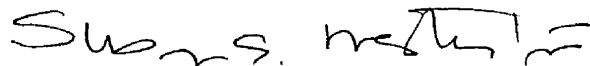
3. Sprint agrees that, at least as regards the loop and transport impairment analysis, once the discovery has been completed, an analysis of whether the triggers have been met in a given customer location or for a specific route would be fairly straightforward. Therefore, a determination regarding the triggers could be set on an expedited time frame, to be followed by consideration of the applicable operational and economic analyses (i.e., potential deployment). Sprint notes that, while Verizon proposes that the triggers be addressed first, followed by proceedings to address operational and economic

analyses, Verizon's proposed schedule on page 4 of its response does not appear to provide for this bifurcated process.

## **MASS MARKET SWITCHING**

4. For the mass market switching impairment analysis, a determination of the appropriate geographical market is not governed by the same "bright line tests" that apply to the location-specific and route-specific analyses applicable to high capacity loops and transport. Therefore, Sprint does not believe that the "trigger" impairment analysis can be completed in an expedited time frame up front. Rather, Sprint believes that the Commission should investigate, through a collaborative process with the parties, whether the determination of the applicable geographic market for both the trigger and the economic analyses should be made first, followed by the trigger and economic analyses.

Respectfully submitted this 3rd day of October 2003.



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