

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising from Federal Communications Commission's Triennial UNE review: Local Circuit Switching for Mass Market Customers

DOCKET NO. 030851-TP

JANUARY 9, 2004

COMMISSION CLERK

JAN 12 PM 4:45

RECEIVED FPSC

Z-TEL'S REQUEST FOR ORAL ARGUMENT

Pursuant to Rule 25-22.058, Florida Administrative Code, Z-Tel Communications, Inc., ("Z-Tel"), through its undersigned counsel, requests an opportunity to orally argue its Response to BellSouth Telecommunications, Inc.'s ("BellSouth"), Motion to Strike the prefiled Testimony of Z-Tel's witness, Michael Reith. In support, Z-Tel states:

1. The Commission opened this docket to implement the Federal Communications Commission's Triennial Review Order ("TRO"), as the TRO relates to the availability of unbundled local switching.
2. On December 4, 2003, Z-Tel timely submitted the prefiled direct testimony of Z-Tel employee Michael Reith.
3. On January 5, 2004, BellSouth moved to strike Mr. Reith's testimony in its entirety, based on the assertion it is not relevant to any of the issues identified in this docket.
4. On this date, Z-Tel is filing its Response in opposition to BellSouth's Motion. In its Response, Z-Tel contends its testimony is relevant and germane to Issues 1, 2(a), 2(b), and 2(c). Z-Tel submits that, in light of the apparent fundamental disagreement between the parties regarding the parameters of this case, oral argument

AUS \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMP \_\_\_\_\_  
 COM 5  
 CTR \_\_\_\_\_  
 ECR \_\_\_\_\_  
 GCL \_\_\_\_\_  
 OPC \_\_\_\_\_  
 MMS \_\_\_\_\_  
 SEC 1  
 OTH \_\_\_\_\_

RECEIVED & FILED

*Sh*  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

00500 JAN 12 3

FPSC-COMMISSION CLERK

will assist the Commission as it evaluates the competing arguments regarding the scope of identified issues and the role of individual carriers' experiences in shaping the record.



Joseph A. McGlothlin  
McWhirter, Reeves, McGlothlin, Davidson,  
Kaufman & Arnold, P.A.  
117 South Gadsden Street  
Tallahassee, FL 32301  
(850) 222-2525  
(850) 222-5606 (fax)  
[jmcglothlin@mac-law.com](mailto:jmcglothlin@mac-law.com)

Thomas M. Koutsky  
Vice President, Law and Public Policy  
Z-Tel Communications, Inc.  
1200 19<sup>th</sup> Street, N. W. Suite 500  
Washington, DC 20036  
(202) 955-9653  
[tkoutsky@z-tel.com](mailto:tkoutsky@z-tel.com)

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Z-TEL Communications, Inc.'s Request for Oral Argument has been provided by hand delivery and email this 12<sup>th</sup> day of January, 2004, to the following:

(\*) (\*\*) Jeremy Susac, Staff Counsel  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

(\*) (\*\*) c/o Nancy Sims  
BellSouth Telecommunications, Inc.  
150 South Monroe Street, Suite 400  
Tallahassee, Florida 32301-1556

(\*\*) Richard Chapkis  
Verizon Florida, Inc.  
201 North Franklin Street  
MC: FLTC0717  
Tampa, Florida 33602

(\*\*) Susan Masterton  
Sprint Communications Company  
1313 Blairstone Road  
Post Office Box 2214  
MC: FLTLHO0107  
Tallahassee, Florida 32301

(\*\*) Donna Canzano McNulty  
MCI WorldCom  
1203 Governors Square Boulevard  
Suite 201  
Tallahassee, Florida 32301

(\*\*) Norman H. Horton, Jr.  
215 South Monroe Street  
Tallahassee, Florida 32302-1876

(\*\*) Tracy Hatch  
AT&T Communications of the  
Southern States, LLC  
101 North Monroe Street  
Suite 700  
Tallahassee, Florida 32301

(\*\*) Michael Gross  
Florida Cable Telecommunications  
246 East 6<sup>th</sup> Avenue  
Tallahassee, Florida 32302

(\*\*) Matthew Feil  
Florida Digital Network, Inc.  
390 North Orange Avenue, Suite 2000  
Orlando, Florida 32801

(\*\*) Jeffrey J. Binder  
Allegiance Telecom, Inc.  
1919 M Street, NW  
Washington, DC 20037

(\*\*) Floyd R. Self  
Messer, Caparello & Self  
215 South Monroe Street, Suite 701  
Tallahassee, FL 32301

(\*\*) Nanette Edwards  
ITC^DeltaCom  
4092 S. Memorial Parkway  
Huntsville, Alabama 35802

(\*\*) Jake E. Jennings  
Senior Vice-President  
Regulatory Affairs & Carrier Relations  
NewSouth Communications Corp.  
NewSouth Center  
Two N. Main Center  
Greenville, SC 29601

(\*\*) Jon C. Moyle, Jr.  
Moyle, Flanigan, Katz, Raymond  
& Sheehan, P.A.  
The Perkins House  
118 North Gadsden Street  
Tallahassee, FL 32301

(\*\*) Rand Currier  
Geoff Cookman  
Granite Telecommunications, LLC  
234 Copeland Street  
Quincy, MA

(\*\*) Andrew O. Isar  
Miller Isar, Inc.  
2901 Skansie Avenue, Suite 240  
Gig Harbor, WA 98335

(\*\*) Scott A. Kassman  
FDN Communications  
390 North Orange Avenue  
Suite 2000  
Orlando, FL 32801

(\*\*) Charles J. Beck  
Deputy Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street  
Room 812  
Tallahassee, Florida 32399-1400

  
Joseph A. McGlothlin