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

March 15, 2004

BY HAND DELIVERY

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

Re: Docket Nos. 030867-TL, 030868-TL, 030869-TL and 030961-TO

Dear Ms. Bayo:

Enclosed for filing in the above-referenced dockets are the original and fifteen (15) copies of Sprint-Florida, Incorporated's Response in Opposition to Motion for Reconsideration and Request for Oral Argument of Charles J. Crist, Jr., Attorney General, State of Florida.

Also enclosed is a diskette containing the above Response originally typed in Microsoft Word 2000 format, which has been saved in Rich Text format for use with Word Perfect.

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: Certificate of Service List

DOCUMENT NUMBER-DATE
03493 MAR 15 04
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Verizon Florida, Inc, to Reform Its Intrastate Network Access and Basic Local Telecommunications rated in Accordance with Florida Statutes, Section 364.164	Docket No. 030867-TL
In re: Petition of Sprint-Florida, Incorporated, To reduce intrastate switched network Access rates to interstate parity in Revenue neutral manner pursuant to Section 364.164(1), Florida Statutes	Docket No. 030868-TL
In re: Petition by BellSouth Telecommunications, Inc., To Reduce Its Network Access Charges Applicable to Intrastate Long Distance In A Revenue-Neutral Manner	Docket No. 030869-TL
In re: Flow-through of LEC Switched Access Reductions by IXC's, Pursuant to Section 364.163(2), Florida Statutes	Docket No. 030961-TO Filed: March 15, 2004

SPRINT-FLORIDA, INCORPORATED'S RESPONSE IN OPPOSITION TO MOTION FOR RECONSIDERATION AND REQUEST FOR ORAL ARGUMENT OF CHARLES J. CRIST, JR., ATTORNEY GENERAL, STATE OF FLORIDA

Sprint-Florida, Incorporated ("Sprint-Florida"), pursuant to Rules 25-22.060(b) and 28-106.204, Florida Administrative Code, respectfully opposes the Motion for Reconsideration ("Motion") and Request for Oral Argument ("Oral Argument Request") filed by Charles J. Crist, Jr., Attorney General, State of Florida ("AG"), stating as follows:

I. Introduction

The telecommunications industry (both local and long distance) has been in a state of transition since the 1970's, moving from one of monopoly to competition. Nowhere has this transition been more difficult than in Florida's residential basic local telecommunications service market. The generally accepted view as to why this transition from monopoly to competition in the residential local service market in Florida has been so difficult is the presence of historical support of below-cost residential basic local service rates by over-priced intrastate switched network access rates. Until this artificial support is reduced or eliminated, there is simply no incentive for competitive local exchange companies and others to make the investment necessary to provide local service to the vast majority of Florida's residential consumers in competition with Sprint-Florida and/or the other incumbent local exchange companies ("ILECs"). In response to this dilemma, the Florida Legislature, in 2003, enacted the "Tele-Competition Innovation and Infrastructure Enhancement Act" ("2003 Act").

The 2003 Act established the mechanism by which this Commission would examine whether petitions filed by the ILECs to reduce intrastate switched network access rates in a revenue neutral manner would:

a.) Remove current support for basic local telecommunications services that prevents the creation of a more attractive competitive local exchange market for the benefit of residential consumers.
b.) Induce enhanced market entry.
c.) Require intrastate switched network access rate reductions to parity over a period of not less than 2 years or more than 4 years.
d.) Be revenue neutral as defined in subsection (7), within the revenue category defined in subsection (2).

Section 364.164(1)(a)-(d), Florida Statutes.

Pursuant to the 2003 Act, on August 27, 2003, Sprint-Florida filed a petition "[t]o reduce intrastate switched network access rates to interstate parity in a revenue-neutral manner pursuant

to Section 364.164(1), Florida Statutes." ("Sprint-Florida Petition"). Docket Number 030868-TL was opened to address the Sprint-Florida Petition.[1] The Sprint-Florida Petition was accompanied by pre-filed direct testimony and exhibits addressing each of the four factors upon which the Commission is required by the 2003 Act to support its decision. This supporting information, together with testimony and other information supplied by the competitive local exchange companies ("CLECs") and the interexchange carriers ("IXCs"), provided the basis for the Commission's Order on Access Charge Reduction Petitions (Order No. PSC-03-1469-FOF-TL) issued December 24, 2003 ("Order").

Based upon its thorough review of the extensive record evidence presented to it, based upon its determination of the credibility of the witnesses (both at the public and technical hearings), and based upon its regulatory expertise, the Commission made the following findings:

> 1. Intrastate access rates currently provide support for basic local telecommunications services that would be reduced by bringing such rates to parity with interstate access rates. *Order* at 21-22.
>
> 2. The existence of such support prevents the creation of a more attractive competitive local exchange market by keeping local rates at artificially low levels, thereby raising an artificial barrier to entry into the market by efficient competitors. *Order* at 24-26.
>
> 3. The elimination of such support will induce enhanced market entry into the local exchange market. *Order* at 38-39.
>
> 4. Enhanced market entry will result in the creation of a more competitive local exchange market that will benefit residential consumers through:
>
> a. increased choice of service providers;

[1] The Sprint-Florida Petition was dismissed by the Commission on September 30, 2003, with leave to amend within 48 hours to address the Commission's determination regarding the application of the two-year time frame in Section 364.164(1)(c), Florida Statues. On October 1, 2003, Sprint-Florida filed its amended petition and revised testimony.

b. new and innovative service offerings, including bundles of local and long distance service, and bundles that may include cable TV service and high speed internet access service;
c. technological advances;
d. increased quality of service; and
e. over the long run, reductions in prices for local service.

Order at 28-33.

5. The ILECs' proposals will reduce intrastate switched network access rates to parity over a period of not less than two years or more than four years. *Order* at 42-43.

6. The ILECs' proposal will be revenue neutral within the meaning of the statute, which permits access charge reductions to be offset, dollar for dollar, by increases in basic local service rates for flat-rate residential and single-line business customers. *Order* at 46-47.

7. Because of the mandatory flow-through provisions of Section 364.163, approval of the plans will be financially neutral to the IXCs, who are required to reduce their intrastate toll rates and charges to consumers to offset the benefit of any access charge reductions the IXCs receive. *Order* at 49-50.

8. Contrary to the position taken by the Attorney General in these proceedings, the statute does not require that implementation of the proposals be "bill neutral" to any particular customer or class of customers. *Order* at 30-31.

9. We are not mandated by Section 364.164 to consider the impact of the proposals on toll rates paid by residential consumers. However, consistent with the legislative history of the 2003 Act, we conclude that we are permitted to do so. In this regard, we find that many residential customers will benefit directly from the elimination of in-state connection fees and reductions in per-minute intrastate toll rates. We also find that residential customers as a whole will enjoy prices for toll services that are closer to economic costs, and therefore, will have less of a repressive effect on long distance usage. We also find that under the long distance rate reduction plans offered by the IXCs, residential customers as a whole will get a proportionate share of any toll rate reductions based on their share of total access minutes of use. *Order* at 52, 54, 55-56.

10. Experience from other states that have rebalanced local and toll rates shows that approval of the ILECs' proposals will have little, if any, negative impact on the availability of universal service. While no customer likes to see a rate increase, the record shows that basic local service will continue to remain affordable for the vast majority of residential customers. *Order* at 30-32.

> 11. Although we find that it is not a benefit that we should weigh in the balance in considering whether or not to grant the Petitions, the amended Lifeline provisions in Section 364.10 will help to protect economically disadvantaged consumers from the effect of local rate increases. This protection is enhanced by the ILECs' agreement to further increase the eligibility criteria for Lifeline assistance from 125% to 135% of the federal poverty level, increasing the number of customers eligible for the program by approximately 119,000, and to protect Lifeline recipients against basic local service rate increases for four years. Although we cannot predict the future with certainty, economic theory suggests, and we are encouraged to believe, that the establishment of a more competitive local market will put downward pressure on local exchange prices that will eventually reduce the need for targeted assistance programs such as Lifeline. *Order* at 31-33.

Despite the breadth and depth of the Commission's analysis of the record and the comprehensiveness of its reasoning, the AG is asserting that the Commission Order is in error and is seeking reconsideration of the Commission's Order. The bases offered by the Attorney General are factually insufficient to warrant reconsideration and certainly do not satisfy the legal standard of review for a motion for reconsideration.

II. Procedural Background

On December 24, 2003, the Commission issued its Order in which it granted the Petition by Sprint-Florida to reduce its intrastate switched network access rates in a revenue neutral manner - Docket No. 030868-TL ("Sprint Petition"). On January 7, 2004, the AG filed a notice of appeal asking the Florida Supreme Court ("Court") to review the Commission's Order. On January 8, 2004, the AG filed with the Court a motion to relinquish jurisdiction, but maintain stay. The AG, on that same date, filed a motion for reconsideration of the Commission's Order.[2] On January 13, 2004, the Commission issued its Order Extending Time for Filing Responses to Motions for Reconsideration, Order No. PSC-04-0037-PCO-TL ("Order Extending Time"), in

[2] On January 8, 2004, AARP filed its Motion for Reconsideration of the Commission's Order. Sprint-Florida is responding in opposition to AARP's Motion in a separate, but contemporaneously filed, pleading.

which it stated: "If the Court decides to relinquish jurisdiction to allow the Commission to address the pending Motions, parties' responses to the pending Motions for Reconsideration shall be due 12 days from the date of the Court's decision." *Id.* at 2.

On March 3, 2004, the Court granted the motions for relinquishment (AARP had separately filed its own motion to relinquish on January 23, 2004) and "relinquishes jurisdiction to the PSC for the specific purpose of ruling on the January 8, 2004, motions for reconsideration. *Court Order* at 1. The Court went on to instruct that: "[t]he PSC shall rule on these motions on or before May 3, 2004." *Id.* at 1. Based upon the requirements of the Commission's Order Extending Time, Sprint-Florida is submitting its response to the AG's Motion for Reconsideration in a timely manner.

The fact that the Court relinquished jurisdiction to the Commission for the "specific purpose" of ruling on the motions for reconsideration does not mean that the Court has ordered the Commission to reconsider its Order, nor has the Court altered the standard of review applicable to motions for reconsideration. As the Court correctly noted, "[b]y relinquishing jurisdiction, the Court makes no determination or comment as to the merits of the arguments presented in the motions for reconsideration." *Court Order* at 1.

III. Standard of Review

The standard of review for a motion for reconsideration is whether the motion identifies a point of fact or law which was overlooked or which the Commission failed to consider in rendering its Order. *See Stewart Bonded Warehouse, Inc. v. Bevis*, 294 So. 2d 315 (Fla. 1974); *Diamond Cab Co. v. King*, 146 So. 2d 889 (Fla. 1962); and *Pingree v. Quaintance*, 394 So. 2d 161 (Fla. 1st DCA 1981). In a motion for reconsideration, it is not appropriate to reargue matters that have already been considered. *See Sherwood v. State*, 111 So. 2d 96 (Fla. 3d DCA 1959), citing *State ex rel. Jaytex Realty Co. v. Green*, 105 So. 2d 817 (Fla. 1st DCA 1958).

Furthermore, a motion for reconsideration should not be granted "based upon an arbitrary feeling that a mistake may have been made, but should be based upon specific factual matters set forth in the record and susceptible to review." *Stewart Bonded Warehouse, Inc. v. Bevis*, 294 So. 2d 315, 317 (Fla. 1974).

IV. Specific Responses to the AG's Grounds for Reconsideration

The AG offers several grounds for reconsideration, none of which meet the requirements of the standard of review for motions for reconsideration, nor are these grounds factually or legally correct. Sprint-Florida's Response addresses the following grounds: (1) "[t]he Commission has forgotten that their primary legislative mandate, pursuant to Section 364.01(4), Florida Statutes, is to (a) [p]rotect the public health, safety and welfare by enduring [sic] that basic local telecommunications services are available to all consumers in the state at reasonable and affordable prices" Motion at ¶ 1; (2) "any statute enacted for the public benefit must be liberally construed in favor of the public" Motion at ¶ 1; and (3) "[i]f these rate increases are implemented, many Florida citizens will be irrevocably injured" Motion at ¶ 3.

A. The Commission Did Not Overlook Any Legislative Mandate

The AG's attempt to seek reconsideration of the Commission's Order on the basis that the Commission allegedly "has forgotten" to consider whether the rate increases will ensure that basic local telecommunications services "are available to all consumers in the state at reasonable and affordable prices" is unsupported and should be rejected. Motion at ¶ 1. Contrary to the AG's assertion, the Commission did, at every stage of the proceeding, consider the potential effect of granting Sprint-Florida's Petition on basic telecommunications service users. The fact that the Commission found, on the basis of a substantial evidentiary record, that residential basic local service subscribers will benefit from granting Sprint-Florida's Petition may not be the result the AG hoped for, but that alone does not warrant reconsideration, especially considering that the

AG fails to identify any point of fact or law which was overlooked or which the Commission failed to consider.

As an initial matter, it must be noted that this argument is not new to the Commission. The AG repeatedly made this exact argument throughout the course of the proceedings. In his very first pleading in this proceeding, titled "Attorney General's Motion for Summary Final Order," filed November 17, 2003 ("Summary Final Order Motion"), the AG cited Section 364.01(4)(a), Florida Statutes, and claimed that "the Commission has an overriding obligation to ensure that basic local telecommunications services are available to all consumers in the state at reasonable and affordable prices." *Id.* at ¶ 3. The AG went on to argue, citing Section 364.01(3), Florida Statutes, that "[t]herefore, the Commission must exercise 'appropriate regulatory oversight to protect consumers' and ensure that Petitioners' proposed actions will in fact benefit residential consumers." *Id.* at ¶ 3. The AG again made the very same argument in his "Prehearing Statement," filed November 21, 2003, *see* Statement of Basic Position, at page 2, and in his "Notice of Joining the Citizens' Motion for Reconsideration of Commission Order No. PSC-03-1331-FOF-TL," filed December 9, 2003, at page 1. It is clear that the AG is improperly using this motion for reconsideration as a means to reargue matters that were already considered by the Commission. This goes against the clearly established standard of review upon which parties may seek reconsideration and, accordingly, should be rejected. *See Sherwood*, 111 So. 2d at 97 (a motion for reconsideration may not be used "as a means of rebriefing or rearguing the points involved in the case").

In his motion, the AG argues that "the Commission has overlooked the rules of statutory construction which require that all portions of a statute be read together in order to achieve a consistent whole and where possible, give effect to all statutory provisions and construe related statutory provisions in harmony with one another." In particular, the AG claims that the

Commission forgot to "protect the health, safety and welfare of all consumers by ensuring that they have reasonable and affordable basic rates," as set forth in Section 364.01(4), Florida Statutes, when it followed Section 364.164(1), Florida Statutes, and granted the Access Charge Reduction Petitions. This argument is wholly without merit.

First, the AG fails to make any showing that the Commission overlooked Section 364.01 in reaching its decision. Indeed, a review of the Commission's Order and its deliberations leading up to its decision demonstrate that the Commission was fully cognizant of this point of law. The AG cannot point to any evidence that the basic local rates resulting from granting Sprint-Florida's Petition are not "reasonable and affordable." To the contrary, the record is replete with evidence that the basic local rates in other states that have rebalanced are even higher than the resulting rates in Florida, and the rates in those other states are reasonable and affordable. *See, e.g.,* Hearing Transcript Vol. 2 at 138, 160-165, 193-194; Vol. 3 at 252-254; Vol. 9 at 1083-1086, 1100-1101. Additionally, there is abundant evidence that for those subscribers who are financially disadvantaged, expanded and enhanced Lifeline service will continue to make basic local service affordable for them. *See, e.g.,* Hearing Transcript Vol. 2 at 138, 158; Vol. 3 at 259; Vol. 9 at 1047, 1099, 1109-1112, 1134-1136.

Second, per the rules of statutory construction, the Commission was governed by Section 364.164(1), *not* Section 364.01(4)(a), in rendering its decision. Section 364.01, Florida Statutes, is a general pronouncement of the powers of the Commission. Section 364.01(4), Florida Statutes, provides only direction as to how the Commission should "exercise its exclusive jurisdiction" that is, in order to:

* * * *

> (a) Protect the public health, safety, and welfare by ensuring that basic local telecommunications services are available to all consumers in the state at reasonable and affordable prices.

In contrast, Section 364.164(1), the basis for the Commission's Order, specifically grants the Commission the authority to reduce local exchange telecommunications company's intrastate switched network access rate in a revenue-neutral manner pursuant to certain enumerated criteria. Section 364.164(1) specifically provides a 90-day time frame in which the Commission must render its order after receiving a petition, and it specifically mandates the considerations the Commission must take into account when rendering its decision. *See* Section 364.164(1)(a)-(d), Florida Statutes (2003).

It is a well-settled rule of statutory construction that a special statute covering a particular subject matter is controlling over a general statutory provision covering the same and other subjects in more general terms. *See McKendry v. State*, 641 So. 2d 45, 46 (Fla. 1994). The more specific statute is considered to be an exception to the general terms of the more comprehensive statute. *Id., citing Floyd v. Bentley*, 496 So. 2d 862, 864 (Fla. 2d DCA 1986). Under this rule, the specific provisions of Section 364.164(1), which details the manner in which the Commission should exercise its authority to reduce intrastate switched network access rates in a revenue-neutral manner, prevails over Section 364.01(4)(a), which provides the general manner in which the Commission should exercise its authority to protect the public health, safety, and welfare. To arrive at any other conclusion would render the specific language of Section 364.164(1) without meaning. *See Saunders v. Saunders*, 796 So. 2d 1253 (Fla. 1st DCA 2001) (finding that Section 731.106(2), which specifically addresses when Florida law should be applied to dispose of assets of non-domiciliary testators, prevailed over section 732.301, which generally relates to the rights of a pretermitted spouse of a Florida domiciliary). Accordingly, the AG's argument that the Commission "forgot" to follow Section 364.01(4)(a), Florida Statutes, is misplaced, as the Commission was mandated, per the rules of statutory construction, to follow Section 364.164(1) in rendering its decision.

In any event, the AG's argument about Section 364.01(4)(a) is a "red herring." The 2003 Act clearly requires the Commission to base its decision on whether removing the "current support for basic local telecommunications services that prevent the creation of a more attractive competitive local exchange market for the benefit of residential consumers." § 364.164(1)(a), Florida Statutes. This specific legislative requirement is not in any way inconsistent with the general legislative policy set forth at Section 364.01(4), Florida Statutes, and serves to carry out the general legislative policy by creating a more competitive market in which market forces will assure that residential consumes will receive the benefits of a competitive marketplace. Not only is Section 364.164(1)(a), Florida Statutes, consistent with Section 364.01(4)(a), Florida Statutes, it is consistent with other general legislative policy directives, including:

- § 364.01(4)(b), F.S. - Encourage competition through flexible regulatory treatment among providers of telecommunications services in order to ensure the availability of the widest possible range of consumer choice in the provision of all telecommunications services.

- § 364.01(4)(d), F.S. - Promote competition by encouraging new entrants into telecommunications markets and by allowing a transitional period in which new entrants are subject to a lesser level of regulatory oversight than local exchange telecommunications companies.

- § 364.01(4)(e), F.S. - Encourage all providers of telecommunications services to introduce new or experimental telecommunications services free of unnecessary regulatory restraints.

Each of these general legislative policy directives has been satisfied by the Commission's decision based upon its findings in connection with the legislative requirements of Section 364.164(1)(a), Florida Statutes. Accordingly, the AG's argument that the Commission misapprehended the elements of statutory construction is without merit, as it is clear that the Commission construed Section 364.164(1) to be in harmony and consistent with Section 364.01(4)(a). *See Mack v. Bristol-Myers Squibb Co.*, 673 So. 2d 100, 110 (Fla. 1st DCA 1990)

(finding that "it is a maxim of statutory construction that a law should be construed in harmony with any other statute having the same purpose" and "where statutes operate on the same subject without plain inconsistency or repugnancy, ... courts should construe them so as to preserve the force of both without destroying their evident intent").

B. Residential Basic Local Service Subscribers Will Benefit From the Grant of Sprint-Florida's Petition

Without citing any record evidence or case law in support, the AG makes the conclusory statement that the Commission failed to liberally construe Section 364.164(1), Florida Statutes, and to find that the public will enjoy no benefit from the grant of Sprint-Florida's Petition. Motion at ¶ 1. This argument is simply disingenuous and factually erroneous.

There is certainly no question that a statute created for the public benefit must be liberally construed to give effect to its public purpose. *Board of Pub. Instruction of Broward County v. Doran*, 224 So. 2d 693, 699 (Fla. 1969). But, there is also no question that this is exactly what the Commission did. Contrary to the AG's assertion, the Commission did, at every stage of the proceeding, consider the potential effect of granting Sprint-Florida's Petition on basic telecommunications service users. The Commission found, on the basis of a substantial evidentiary record, that residential basic local service subscribers will benefit from granting Sprint-Florida's Petition. Accordingly, the Commission most certainly construed Section 364.164(1), Florida Statutes, liberally by choosing to grant Sprint-Florida's Petition in order to ensure the public would benefit from the creation of a more attractive, competitive local market and all of the many benefits flowing therefrom. Order at 28-33. Again, this may not have been the result the AG seeks, but that alone does not warrant reconsideration.

C. The AG's Claims About Consumer Harm Have Been Fully Considered by the Commission

The balance of the AG's Motion is simply a rehash of its basic theme that the Commission's decision has allegedly failed to take into account the impact of granting Sprint-Florida's Petition on an indeterminate number of Florida consumers. Motion at ¶ 3. However, as described above, the AG has failed to identify any point of fact or law which was overlooked or which the Commission failed to consider in rendering its Order. Although the Commission ruled against the AG on each of the points being raised here by the AG, there is nothing to indicate that anything was overlooked by the Commission or that a mistake of law or fact was made in doing so. Throughout its Order, the Commission carefully analyzed each of the AG's issues and fully explained its decision on each of these issues. Order at 11-13, 15-16, 21-23, 28-33, 38-39, 46-47, 55-56. The fact that the AG does not like the Commission's decision on these issues is not enough to satisfy the standard of review for reconsideration.

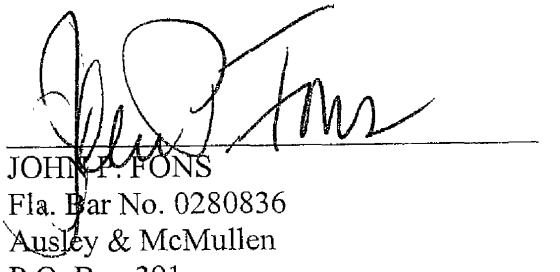
V. Oral Argument Request

In his Oral Argument Request, the AG is asserting his belief "that a full discussion of this issue would be beneficial to the Commission in their consideration of these critical issues which are of such importance to the Citizens of Florida." 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. The AG's Oral Argument Request fails in this respect. The AG's rationale for oral argument, as outlined above, is, at best, self-serving. There is nothing raised in his Motion for Reconsideration that is of such nature or magnitude that oral argument is required in order for there to be a "full discussion." There is certainly nothing in the AG's Motion for Reconsideration

that is new or different from the AG's pleadings and arguments considered and rejected by the Commission in its December 24, 2003, Order.

WHEREFORE, the Commission should deny the AG's Motion and Oral Argument Request.

RESPECTFULLY SUBMITTED this 15th day of March, 2004.



JOHN P. FONS
Fla. Bar No. 0280836
Ausley & McMullen
P.O. Box 391
Tallahassee, FL 32302
(850) 224-9115

and

SUSAN S. MASTERTON
Fla. Bar No. 0494224
Sprint-Florida, Inc.
P.O. Box 2214
Tallahassee, FL 32316-2214
(850) 599-1560

ATTORNEYS FOR SPRINT-FLORIDA, INCORPORATED

CERTIFICATE OF SERVICE

I HERBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail, e-mail or hand delivery (*)this 15th day of March, 2004, to the following:

Beth Keating, Esq. (*)
Felicia Banks, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Richard Chapkis, Esq.
Verizon-Florida
P.O. Box 110, FLTC0007
Tampa, FL 33601-0110

Mark Cooper
504 Highgate Terrace
Silver Spring, MD 20904

Michael A. Gross, Esq.
FCTA
246 E. 6th Ave., Suite 100
Tallahassee, FL 32302

Michael B. Twomey
P. O. Box 5256
Tallahassee, FL 32314-5256

John Feehan
Knology, Inc.
1241 O.G. Skinner Drive
West Point, GA 31833

Jack Shreve
Senior Special Counsel for Consumer Affairs
Office of the Attorney General
PL-01 The Capitol
Tallahassee, FL 32399-1050

Ben Wilcox
Common Cause Florida
704 West Madison Street
Tallahassee, FL 32304

Charles Beck (*)
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison St., Rm. 812
Tallahassee, FL 32399-1400

Tracy Hatch/Chris McDonald
AT&T Communications
101 N. Monroe St., Suite 700
Tallahassee, FL 32301

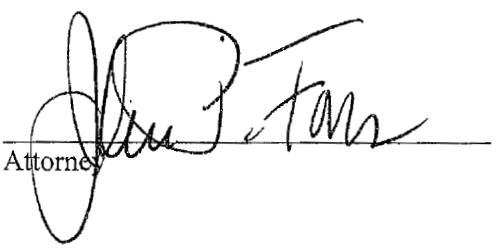
Donna McNulty, Esq.
MCI WorldCom
1203 Governors Square Blvd.; Suite 201
Tallahassee, FL 32301

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

Floyd Self
Messer, Caparello & Self, P.A.
P. O. Box 1876
Tallahassee, FL 32302

George Meros
Gray Robinson, P.A.
P. O. Box 11189
Tallahassee, FL 32302-3189

Charles J. Rehwinkel
Sprint Communications Company, L.P.
P. O. Box 2214
Tallahassee, FL 32316-2214



Attorney

h:\jpf\sprint\access charges\pleadings\rsp in opp ag mtn to rcnsdr doc