

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Petition of Supra )  
Telecommunications and Information )  
Systems, Inc.'s for arbitration )  
with BellSouth Telecommunications, Inc. )  
\_\_\_\_\_ )

Docket No. 040301-TP

Filed: April 5, 2004

**PETITION OF SUPRA TELECOMMUNICATIONS AND INFORMATION  
SYSTEMS, INC., FOR FULL COMMISSION PANEL  
PURSUANT TO SECTION 350.01(6), FLORIDA STATUTES**

Supra Telecommunications and Information Systems, Inc. ("Supra") by and through its undersigned counsel and hereby files this petition with the Florida Public Service Commission ("Commission") pursuant to Florida Statutes §350.01(6), and hereby requests that the full Commission be assigned to this proceeding. In support thereof, Supra states the following:

This proceeding involves establishing a non-recurring rate for an individual hot cut conversion from UNE-P to UNE-L (also known as a service or condition of interconnection). Any rate must be "just, reasonable and non-discriminatory;" the rate must also be "based on the cost (determined without reference to a rate-of-return or other rate-based proceeding) of providing the interconnection." The current rate being charged, Supra submits, is an existing barrier to competition – which is one barrier of various that impede competitors from moving to a facilities-based system.

While a decision in this proceeding will be made within the context of the interconnection agreement between the parties, any telecommunications carrier is permitted to include this rate in their contract pursuant to §252(i). Thus, any decision in this docket will have an overall regulatory impact on the telecommunications industry in this State.<sup>1</sup>

<sup>1</sup> This Commission has noted that it will invoke this provision to address just such a policy question. See Order No. PSC-99-0047-FOF-TP (where the Commission stated that "[W]e also emphasize that this is not a policy matter that *must* be addressed by the full commission in accordance with Section 350.01(6), Florida Statutes." (Emphasis added)).

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Supra is requesting that this proceeding be assigned to the full Commission because of the issue's overall general public interest. Supra, however, does not want to jeopardize its requested relief that this matter be resolved expeditiously. Supra hopes that the two requests (i.e. expedited relief and full Commission) can be harmonized such that the Commission can hold a hearing on this petition expeditiously. If the full Commission panel cannot be assembled on an expedited basis, Supra would withdraw its request believing that resolving this matter sooner rather than later will have greater benefits for the industry and the public.

**REQUEST FOR RELIEF**

WHEREFORE, Supra respectfully requests that the Commission grant the relief requested in this petition.

Respectfully submitted this 5<sup>th</sup> day of April 2004.

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