

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BLVD.
TALLAHASSEE, FL 32399-0850

Bright House Networks Information Services,
LLC (Florida),
Complainant

v.

Verizon Florida, Inc.,
Defendant

No. 041170-JP

**REQUEST FOR ORAL ARGUMENT OF
BRIGHT HOUSE NETWORKS INFORMATION SERVICES, LLC (FLORIDA)**

Bright House Networks Information Services, LLC (Florida) (“BHN”) respectfully requests, pursuant to FLA. ADMIN. CODE §§ 25-22.058, 28-106.302(2) and FLA. STAT. § 120.57(2)(a)(2) that the Commission grant oral argument in the above-captioned proceeding.

1. Simultaneously with this request, BHN is filing today with the Commission a complaint against Verizon Florida, Inc. (“Verizon”) regarding Verizon’s unjust and unreasonable interference with the ability of customers who purchase plain old telephone service (“POTS”) from Verizon to instead purchase voice services from BHN. Verizon enforces this unreasonable condition by refusing to port the telephone numbers of Verizon customers who purchase both POTS and digital subscriber line (“DSL”)/Internet access service from Verizon, when the customer seeks to switch to BHN for voice services.¹

¹ As explained in more detail in the complaint, BHN does not rely on any Verizon loops or other facilities in offering its voice service. BHN provides its voice services over its own and third party facilities and does not use any Verizon unbundled network elements (“UNEs”). Thus,

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2. Florida law and policy clearly prohibit such a practice. Moreover, entities providing POTS services other than Verizon do not link their provision of POTS and DSL services. Thus, there is no valid legal, policy or technical justification for its refusal to port numbers to BHN.

3. Despite the lack of any valid justification for its practice, BHN expects Verizon to attempt to obscure the issues with lengthy and/or esoteric arguments, possibly involving baseless claims that its systems and network somehow compel Verizon to mistreat its customers as described in BHN's complaint. In fact, BHN is concerned that Verizon's lack of any real justification for its practice will encourage such obfuscation. Of course, BHN will then be obligated to respond to Verizon's claims. BHN, therefore, believes that there is a substantial likelihood that the parties' written pleadings will be rather lengthy.

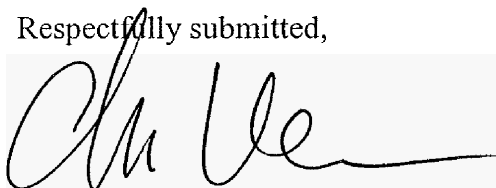
4. BHN welcomes the chance to engage Verizon in a discussion of the merits of its improper practice in the written pleadings. Even so, BHN believes that oral argument would provide the best vehicle to present to the Commission a clear and concise summary of any lengthy legal, policy or technical arguments that are presented in earlier pleadings. BHN believes allowing the parties to present oral argument will assist Commission staff in boiling down the arguments to the simple, core issue at stake: is there any legal justification for Verizon's refusal to permit its POTS customers to terminate their service and receive voice service from BHN?

the UNE-related issues in the "naked DSL" disputes present in the Commission's recent FDN and Supra proceedings are not at issue in this dispute.

RELIEF REQUESTED

Based on the foregoing, BHN respectfully requests that the Commission grant the parties oral argument in the above-captioned proceeding, such oral argument to take place prior to the staff formulating its recommendation to the full Commission.

Respectfully submitted,



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September 29, 2004