

ORIGINAL

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**Sent:** Thursday, May 26, 2005 2:18 PM  
**To:** Filings@psc.state.fl.us  
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**Subject:** Docket No. 041338-TP/040301-TP  
**Attachments:** Joint Motion to Move Issue 17.pdf

<<Joint Motion to Move Issue 17.pdf>>

Pursuant to the Commission's procedures for e-filing, DIECA Communications, Inc. d/b/a Covad Communications Company provides the following information:

A. The attorney responsible for filing is:

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B. The document is to be filed in Docket No. 041338-TP.

C. The document is filed on behalf of DIECA Communications, Inc. d/b/a Covad Communications Company.

D. The document is 3 pages long.

E. The document is Joint Motion of DIECA Communications, Inc. d/b/a Covad Communications Company and BellSouth Telecommunications, Inc. to Move Issue No. 17 to Phase 2 of this Proceeding..

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**CJ Cratty**

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DOCUMENT NUMBER-DATE

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# ORIGINAL

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Generic Proceeding to Set ) Docket No. 041338-TP  
 Rates, Terms, and Conditions for Batch Hot )  
 Cuts for UNE-P to UNE-L Conversions and for )  
 ILEC to UNE-L Conversions in the BellSouth )  
 Telecommunications, Inc. Service Area )  
 \_\_\_\_\_ )

In Re: Petition of Supra ) Docket No. 040301-TP  
 Telecommunications and Information )  
 Systems, Inc.'s for Arbitration )  
 With BellSouth Telecommunications, Inc. ) Filed: May 26, 2005  
 \_\_\_\_\_ )

**JOINT MOTION OF DIECA COMMUNICATIONS, INC. D/B/A**  
**COVAD COMMUNICATIONS COMPANY AND**  
**BELLSOUTH TELECOMMUNICATIONS, INC.**  
**TO MOVE ISSUE NO. 17 TO PHASE 2 OF THIS PROCEEDING**

DIECA Communications, Inc. d/b/a Covad Communications Company (Covad) and BellSouth Telecommunications, Inc. (BellSouth) (collectively, Joint Movants), pursuant to rule 28-106.204, Florida Administrative Code, request that the Prehearing Officer move Issue No. 17 to Phase 2 of this proceeding. As grounds therefore, Joint Movants state:

1. On November 23, 2004, Joint CLECs filed a petition for a generic proceeding to set rates, terms and conditions for hot cuts and batch hot cuts.
2. Following the filing of the generic petition (and the resolution of other procedural matters), the Parties, with Staff's assistance, attempted to arrive at an agreed upon Issue List.
3. Because the Parties were unable to agree on all the issues, a conference call was conducted on April 19, 2005 with the Parties, Staff and the Prehearing Officer.
4. During the course of the conference call, the Parties agreed that issues relating to line sharing and line splitting should be considered in Phase 2 of this proceeding.
5. On April 20, 2005, Order No. PSC-050433-PCO-TP, Order Establishing Procedure, was issued. Attachment A sets out the issues for Phase 1.

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6. An amended Procedural Order, Order No. PSC-05-0433A, was issued on April 29, 2005, revising Attachment A to move line sharing and line splitting issues to Phase 2.

7. Issue No. 17 is currently included in Phase 1 of this proceeding. That issue is:

If BellSouth is required to provide loop sharing where the cross-connection between two different CLECs or between the same CLEC is completed by BellSouth at the central main distribution frame (MDF), what are the appropriate rates?

8. Because Issue No. 17 is related to loop sharing, it is more appropriately considered with the line splitting and line sharing issues in Phase 2 of this case. Consideration of Issue No. 17 in Phase 2 will ensure that both phases of the hearing are focused on the appropriate issues and result in more efficient and effective proceedings, with a minimum of overlap of issues.

9. Joint Movants have contacted the other parties to this case and represent that they have no objection to this motion.

**WHEREFORE**, Joint Movants request that Issue 17 be moved to Phase 2 of this proceeding.

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Attorneys for DIECA Communications d/b/a  
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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true copy of the Joint Motion of DIECA Communications, Inc. d/b/a Covad Communications Company and BellSouth Telecommunications, Inc. to Move Issue No. 17 to Phase 2 of this Proceeding has been furnished to the following by electronic mail and U.S. mail this 26<sup>th</sup> day of May, 2005:

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