

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for arbitration of certain unresolved issues associated with negotiations for interconnection, collocation, and resale agreement with Florida Digital Network, Inc. d/b/a FDN Communications, by Sprint-Florida, Incorporated.

DOCKET NO. 041464-TP

JULY 5, 2005

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-05-0496-PCO-TP, issued May 5, 2005, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

None.

b. All Known Exhibits

None.

c. Staff's Statement of Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

d. Staff's Position on the Issues

**ISSUE 1: This issue has been resolved.**

**ISSUE 2: This issue has been resolved.**

**ISSUE 3: This issue has been resolved.**

DOCUMENT NUMBER+DATE

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**ISSUE 4:** This issue has been resolved.

**ISSUE 5:** How should “local traffic” be defined?

**POSITION:** Staff has no position at this time.

**ISSUE 6:** This issue has been resolved.

**ISSUE 7:** This issue has been resolved.

**ISSUE 8:** This issue has been resolved.

**ISSUE 9:** This issue has been resolved.

**ISSUE 10:** This issue has been resolved.

**ISSUE 11:** This issue has been resolved.

**ISSUE 12:** This issue has been resolved.

**ISSUE 13:** This issue has been resolved.

**ISSUE 14:** This issue has been resolved.

**ISSUE 15:** This issue has been resolved.

**ISSUE 16:** This issue has been resolved.

**ISSUE 17:** This issue has been resolved.

**ISSUE 18:** This issue has been resolved.

**ISSUE 19:** This issue has been resolved.

**ISSUE 20:** This issue has been resolved.

**ISSUE 21:** What are the appropriate terms and conditions applicable to the resale of Contract Service arrangements, Special arrangements, or Individual Case Basis (ICB) arrangements?

**POSITION:** Staff has no position at this time.

**ISSUE 22:** What terms and conditions should be included to reflect the FCC's TRO and TRRO decisions?

**POSITION:** Staff has no position at this time.

**ISSUE 23:** When should FDN be required to self-certify unbundled network elements (UNEs)? When self-certification is required, how should FDN self-certify?

**POSITION:** Staff has no position at this time.

**ISSUE 24:** May Sprint restrict UNE availability where there is not a "meaningful amount of local traffic?" If so, what is a "meaningful amount of local traffic?"

**POSITION:** Staff has no position at this time.

**ISSUE 25:** When and how should Sprint make subloop access available to FDN?

**POSITION:** Staff has no position at this time.

**ISSUE 26:** This issue has been resolved.

**ISSUE 27:** Under what circumstances must Sprint, at FDN's request, combine and provide individual network elements that are routinely combined in Sprint's network?

**POSITION:** Staff has no position at this time.

**ISSUE 28:** This issue has been resolved.

**ISSUE 29:** What rates, terms and conditions should apply to routine network modifications on UNEs available under the Agreement?

**POSITION:** Staff has no position at this time.

**ISSUE 30:** This issue has been resolved.

**ISSUE 31:** This issue has been resolved.

**ISSUE 32:** This issue has been resolved.

**ISSUE 33:** This issue has been resolved.

**ISSUE 34:** What are the appropriate rates for UNEs and related services provided under the Agreement?

**POSITION:** Staff has no position at this time.

**ISSUE 35:** This issue has been resolved.

**ISSUE 36:** What terms should apply to establishing Points of Interconnection (POI)?

**POSITION:** Staff has no position at this time.

**ISSUE 37:** What are the appropriate terms for transport and termination compensation for:  
(a) local traffic  
(b) non-local traffic  
(c) ISP-bound traffic?

**POSITION:** Staff has no position at this time.

**ISSUE 38:** What are the appropriate terms for compensation and costs of calls terminated to end users physically located outside the local calling area in which their NPA/NXXs are homes (Virtual NXXs)?

**POSITION:** Staff has no position at this time.

**ISSUE 39:** What are the appropriate terms for compensation and costs of calls that are transmitted, in whole or in part, via the public Internet or a private IP network (VoIP)?

**POSITION:** Staff has no position at this time.

**ISSUE 40:** This issue has been resolved.

**ISSUE 41:** This issue has been resolved.

**ISSUE 42:** This issue has been resolved.

**ISSUE 43:** This issue has been resolved.

**ISSUE 44:** This issue has been resolved.

**ISSUE 45:** This issue has been resolved.

**ISSUE 46:** This issue has been resolved.

**ISSUE 47:** This issue has been resolved.

**ISSUE 48:** This issue has been resolved.

**ISSUE 49:** This issue has been resolved.

**ISSUE 50:** This issue has been resolved.

**ISSUE 51:** This issue has been resolved.

**ISSUE 52:** This issue has been resolved.

**ISSUE 53:** This issue has been resolved.

**ISSUE 54:** This issue has been resolved.

**ISSUE 55:** This issue has been resolved.

**ISSUE 56:** This issue has been resolved.

**ISSUE 57:** This issue has been resolved.

**ISSUE 58:** This issue has been resolved.

**ISSUE 59:** Under what circumstances, if any, should FDN be permitted to use cross connect services to connect FDN's equipment in FDN's collocation space to any services or facilities purchased under this Agreement or any other Sprint services, such as special access services purchased under Sprint state and federal tariffs?

**POSITION:** Staff has no position at this time.

**ISSUE 60** This issue has been resolved.

**ISSUE 61** This issue has been resolved.

e. Pending Motions

Staff has no pending motions.


f. Pending Confidentiality Claims or Requests

Staff has no pending confidentiality claims or requests.

g. Compliance with Order No. PSC-05-0496-PCO-TP, issued May 5, 2005

Staff has complied with all requirements of the Order Establishing Procedure entered in this docket.

Respectfully submitted this 5th day of July, 2005.

  
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KIRA SCOTT  
JEREMY SUSAC  
Staff Counsel

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DATED: JULY 5, 2005

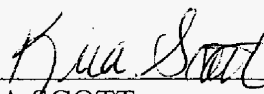
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that one true correct copy of STAFF'S PREHEARING STATEMENT has been furnished to the following by U. S. mail this 5<sup>th</sup> day of July, 2005:

FDN Communications  
Mr. Matthew Feil  
2301 Lucien Way, Suite 200  
Maitland, FL 32751-7025

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