

ORIGINAL
FILE COPY



GTE Telephone Operations

Marceil Morrell**
Vice President & General Counsel - Florida

Associate General Counsel
Anthony P. Gillman**
Leslie Reicin Stein*

Attorneys*
Kimberly Caswell
M. Eric Edgington
Ernesto Mayor, Jr.

One Tampa City Center
Post Office Box 110, FLTC0007
Tampa, Florida 33601
813-224-4001
813-228-5257 (Facsimile)

* Licensed in Florida
** Certified in Florida as Authorized House Counsel

October 7, 1996

Ms. Blanca S. Bayo, Director
Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 950737-TP
Investigation into Temporary Local Number Portability Solution to
Implement Competition in Local Exchange Telephone Markets

Dear Ms. Bayo:

Please find enclosed for filing an original and fifteen copies of GTE Florida Incorporated's Prehearing Statement in the above matter. Also enclosed is a diskette with a copy of the Prehearing Statement in WP 5.1 format. Service has been made as indicated on the Certificate of Service. If there are any questions

ACK _____ regarding this matter, please contact me at (813) 228-3094.

AFA _____
APP _____ Very truly yours,

CAF _____
CMU *Taylor*
CTR *Kimberly Caswell*

EAG _____
LEG 1 KC:tas
5 Enclosures

LIN _____
OPC _____
RCH _____
SEC 1 A part of GTE Corporation

NAS _____
JTH _____

DOCUMENT NUMBER-DATE
10651 OCT-7 96
FPSC-RECORDS/REPORTING

ORIGINAL
FILE COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into temporary)	
local telephone number portability solution)	Docket No. 950737-TP
to implement competition in local)	Filed: October 7, 1996
exchange telephone markets)	
_____)	

GTE FLORIDA INCORPORATED'S PREHEARING STATEMENT

GTE Florida Incorporated (GTEFL) files its prehearing statement in accordance with Commission Order number PSC-96-1121-PCO-TP, issued September 4, 1996, in this docket.

A. Witnesses

Beverly Y. Menard will be GTEFL's witness in this proceeding. She will testify to all issues identified.

B. Exhibits

GTEFL at this time does not plan to use any exhibits, but reserves the right to do so at the hearing or as is otherwise appropriate.

C. GTEFL's Basic Position

The FCC's guidelines regarding interim number portability were not intended to preempt state tariffs. This is the case in Florida, where the Commission has ruled that interim number portability will be provided by means of remote call forwarding (RCF), and has set specific rates for this feature. GTEFL believes this Commission has complied

DOCUMENT NUMBER-DATE

10651 OCT-7 96

FPSC-RECORDS/REPORTING

with the FCC's Order and there is no need for adjustment of the cost recovery mechanism or other aspects of this Commission's Order. Allowing companies--both incumbent local exchange carriers (ILECs) and alternative local exchange carriers (ALECs) to charge each other tariffed rates is wholly consistent with the FCC's concept of competitive neutrality in cost recovery.

If, however, the Commission believes the FCC Order is inconsistent with the cost recovery mandated here, GTEFL recommends an explicit pooling mechanism. This proposal correctly recognizes that all costs of number portability ultimately pass to the consumer. In any event, the Commission must avoid any resolution that places any provider--including the ILEC--at a competitive disadvantage.

There should be no retroactive application of the Commission's decision in this proceeding. If, contrary to GTEFL's view, the Commission believes any changes are required, they should be imposed only on a going-forward basis.

D, E, F. GTEFL's Specific Positions

GTEFL believes that the issues in this case are mixed questions of fact, law, and policy. Its positions on the specific issues identified for resolution follow.

Issue 1: Is Order No. PSC-95-1604-FOF-TP inconsistent with the Federal Communications Commission's First Report and Order and Further Notice of Proposed Rulemaking in the Matter of Telephone Number Portability in CC Docket No. 95-116?

GTEFL Position: No. Even though the FCC sought to articulate “general criteria” for number portability cost recovery, it explicitly stated that states were free to require carriers to file tariffs for the provision of currently available number portability measures. This Commission has done so; there is no reason to disturb its decision, entered after a full evidentiary hearing.

Issue 2: What is the appropriate cost recovery mechanism for temporary number portability?

GTEFL Position: This Commission’s mandated cost recovery mechanism, in the form of specific rates to be charged for number portability, is the fairest and most appropriate cost recovery mechanism. However, should the Commission conclude--contrary to GTEFL’s view--that the FCC Order requires modification of this Commission’s duly entered Order, GTEFL suggests this Commission implement a pooling mechanism to recover portability costs. This approach will correctly recognize that all costs of number portability are ultimately passed on to the consumer. In no event should the Commission adopt a recovery mechanism that would put any carrier--including the ILEC--at a competitive disadvantage.

Issue 3: Should there be any retroactive application of the Commission’s decision in this proceeding; if so, what should be the effective date?

GTEFL Position: No, there should be no retroactive application of any decision in this docket. GTEFL does not believe that any changes to its order, issued after a full

evidentiary hearing, are necessary. However, if the Commission determines otherwise, any modifications should not be retroactive. There is no reason to retroactively modify lawfully entered tariffed rates.

G. Stipulated Issues

No issues have been stipulated.

H. Pending Matters

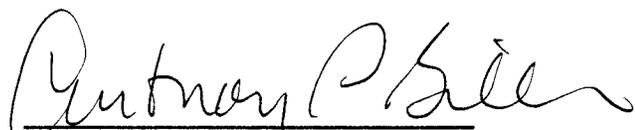
GTEFL has no pending matters before the Commission in this docket.

I. Compliance Statement

GTEFL is unaware of any requirements in the procedural order with which it cannot comply.

Respectfully submitted on October 7, 1996.

By:



Kimberly Caswell
Anthony P. Gillman
P. O. Box 110, FLTC0007
Tampa, FL 33601
(813) 228-3094

Attorneys for GTE Florida Incorporated

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of GTE Florida Incorporated's Prehearing Statement in Docket No. 950737-TP were sent by U.S. mail on October 7, 1996, to the parties on the attached list.


for Kimberly Caswell

Staff Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Robert G. Beatty/J. Phillip Carver
c/o Nancy Sims
150 S. Monroe St., Suite 400
Tallahassee, FL 32301

Alan N. Berg
United Tel. Co. Of Fla.
555 Lake Border Drive
Apopka, FL 32703

David B. Erwin
Young VanAssenderp et al.
225 S. Adams St., Ste. 200
P.O. Box 1833
Tallahassee, FL 32302

Michael W. Tye
AT&T Communications, Inc.
101 North Monroe Street
Suite 700
Tallahassee, FL 32301

James W. Tyler
Vista-United Tel.
3100 Bonnet Crk.Rd.
Lake Buena Vista, FL
32830

Office of Public Counsel
Claude Pepper Building
111 W. Madison St., Room 812
Tallahassee, FL 32399-1400

Harriet Eudy
ALLTEL Florida, Inc.
206 White Avenue, S.E.
Live Oak, FL 32060

Thomas E. Wolfe
Southland Tel. Co.
201 S. Pensacola Av.
Atmore, AL 36504

Lee L. Willis/J. Jeffry Wahlen
Macfarlane Ausley et al.
227 S. Calhoun Street
Tallahassee, FL 32302

John H. Vaughan
St. Joseph Tel. & Tel.Co.
502 Fifth Street
Port St. Joe, FL 32456

Daniel V. Gregory
Quincy Tel. Co.
107 W. Franklin Street
Quincy, FL 32351

John McGlew
Northeast Fla.Tel.Co.Inc.
130 North Fourth Street
Macclenny, FL 32063-0485

Charles L. Dennis
Indiantown Tel.Sys.Inc.
15925 S.W. Warfield Blvd.
Indiantown, FL 34956

A. D. Lanier
Gulf Tel. Co.
115 W. Drew Street
Perry, FL 32347

Ferrin Seay
Floral Tel. Co. Inc.
522 North 5th Street
Floral, AL 36442

F. B. Poag
Sprint/United-Florida
315 S. Calhoun St., Suite 740
Tallahassee, FL 32316

Laura Wilson/C. Dudley
Florida Cable Tele. Assn.
310 N. Monroe Street
Tallahassee, FL 32302

FIXCA
c/o J. P. Gillan and Associates
121 N.W. Ivanhoe Blvd.
Orlando, FL 32804

Floyd Self
Messer Vickers et al.
215 S. Monroe St., Suite 701
Tallahassee, FL 32302

William H. Higgins
Cellular One
250 S. Australian Avenue
Suite 900
West Palm Beach, FL 33401

Peter Dunbar/Robert Cohen
Pennington Culpepper et al.
215 S. Monroe St., 2nd Floor
Tallahassee, FL 32301

Jill Butler
Digital Media Partners
2773 Red Maple Ridge
Tallahassee, FL 32301

Martha McMillin
MCI Telecomm. Corp.
780 Johnson Ferry Rd., # 700
Atlanta, GA 30346

Richard D. Melson
Hopping Green Sams & Smith
123 S. Calhoun Street
Tallahassee, FL 32314

Timothy Devine
MFS Communications Co.
Six Concourse Pkwy., Ste. 2100
Atlanta, GA 30328

Richard Rindler/J. Falvey
Swidler & Berlin
3000 K Street, N.W.
Washington, DC 20007

C. Everett Boyd, Jr.
Ervin Varn Jacobs et al.
305 S. Gadsden Street
Tallahassee, FL 32302

Tony H. Key
Sprint
3100 Cumberland Circle
Atlanta, GA 30339

Robin D. Dunson
1200 Peachtree Street, NE
Promenade I, Room 4038
Atlanta, GA 30309

Marsha E. Rule
Wiggins & Villacorta, P.A.
501 E. Tennessee St., Suite B
Tallahassee, FL 32308

Angela B. Green
Florida Pub. Telecomm. Assn.
125 S. Gadsden Street, Suite 200
Tallahassee, FL 32301

Patrick K. Wiggins
Wiggins & Villacorta, P.A.
501 E. Tennessee St., Suite B
Tallahassee, FL 32308

Sue E. Weiske
Time Warner Communications
160 Inverness Drive West
Englewood, CO 80112