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February 14, 1997

THE COPY

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Monica Barone Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re: Docket Nos. 960846-TP, 960833, 960916

Dear Monica:

JAMES S. ALVES

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PETER C. CUNNINGHAM

Enclosed for your use is MCI's cross index to where various disputed items were addressed in the above proceeding.

By copy of this letter, this document has been provided to the parties on the attached service list.

Very truly yours,

This O. re

AFA

APP RDM/cc
Enclosures
CAF - cc: Ms. Blanca S. Bayó (for docket file)
CMU - Parties of Record
CTR - .

LET -

ACK \_\_\_\_

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

## MCI CROSS-INDEX TO WHERE MATTERS WERE ADDRESSED IN ARBITRATION

MCI's Petition For Arbitration clearly asked the Commission to arbitrate all unresolved issues between the parties. (Petition, ¶¶ 20, 26-27, 34, 58, 67) Those issues were identified in both Exhibit 3 and Exhibit 4 to MCI's Petition, which were incorporated by reference into that Petition and which later became part of Hearing Exhibit 21. MCI's proposed contract language on many of the specific items still in dispute is part of the record in Exhibit 27, sponsored by Mr. Ron Martinez. Other disputed provisions, while not the subject of specific testimony, are required in order ensure that MCI receives treatment that is on a parity with what BellSouth provides to itself, and are fully consistent with the general parity requirements of the Order.

Under MCI's understanding of Prehearing Officer Deason's ruling at the initial status conference in this docket, the Commission strongly encouraged the parties to continue to negotiate detailed contractual provisions, but indicated that where the parties were unable to reach agreement, the Commission would ultimately pick the position of one party or the other on each remaining unresolved issue.

CONTRACT PROVISION SUBJECT	WHERE INCLUDED IN ARBITRATION
General Terms 1.2 Discontinuing Resale	Exhibit 27: General Terms § 1.2 Exhibit 21, Term Sheet: XIV § 1.7 Issue 6 (as to resold services)
General Terms 11 Indemnification	PHO ruled that Issue 22 (relating to liability and indemnification) would not be arbitrated as to MCI. MCI still believes that it is appropriate for the PSC to select between the competing language submitted by the parties.
General Terms 12 Limitation of Liability	PHO ruled that Issue 22 (relating to liability and indemnification) would not be arbitrated as to MCI. MCI still believes that it is appropriate for the PSC to select between the competing language submitted by the parties.
General Terms 15.2 Remedies	Exhibit 27: General Terms § 15.2 Issue 7 (quality assurance)
General Terms 19 Non-Discriminatory Treatment	Exhibit 27: General Terms § 19
General Terms 20.2 Termination	Exhibit 27: General Terms §§ 20.3, 20.3
General Terms 22 Audit	Exhibit 27: General Terms § 22 Issue 7 (quality assurance)
General Terms 25.7 Branding	This is a BST issue.
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CONTRACT PROVISION SUBJECT	WHERE INCLUDED IN ARBITRATION
IV.2.2.2 through IV.2.2.2.2 InterconnectionLocal Calling Area	Exhibit 27: IV §§ 2.2.2 through 2.2.2.2 PHO ruled that Issue 28 (relating to interconnection) would not be arbitrated as to MCI. MCI still believes that it is appropriate for the PSC to select between the competing language submitted by the parties.
IV 2.4.1 through 2.4.3 Tandem Deemed an End Office	Exhibit 27: IV §§ 2.4.1 through 2.4.3 PHO ruled that Issue 28 (relating to interconnection) would not be arbitrated as to MCI. MCI still believes that it is appropriate for the PSC to select between the competing language submitted by the parties.
VI 1.1.28 Rights of Way Spare Capacity	Exhibit 27: VI §§ 3.5, 3.16, 3.17 Issue 11
VI 1.2.6 Encumbrances on right to convey	
VI 1.2.9.5 Emergency Inner Duct	Exhibit 27: VI §3.16
VI 1.3.6.7, 1.3.9.3, 1.3.9.4, 1.3.10 Manhole Pumping, BellSouth's review of procedures, compliance with governmental regulations	These are issues raised by BST.
VI 1.5.2.2 Information re: availability of conduit	Exhibit 27: VI § 3.7 See also, Order @ page 89.
VI 1.6.3 Compliance with Enviornmental laws	Exhibit 27: VI § 3.2 See also, Order @ page 89
VI 1.8.2.2 Occupancy of duct and manhole	Exhibit 27: VI 3.14
VIII 2.1.5.3, 2.1.5.4 Credit History	See Order @ pages 79-81 Issue 13 (access to customer information)
VIII 2.3.2.6 On line access to telephone numbers	Exhibit 27: VI § 2.3.2.6 Issue 13 (operations support systems)
VIII 6.1.3.3.3.3. Calling Card	Exhibit 27: VI § 6.1.3.3.3.3 Issues 1(a), 13
VIII 6.1.3.15 INP BLV/BLI request for Ported #	Exhibit 27: VIII § 6.1.3.15 Issue 1(a)
VIII 6.1.4.1.1 EDI Date	Exhibit 27: VIII § 6.1.4.1.1 Issues 1(a), 13
IX 3.1, 3.1.2, 3.1.3 Liability Uncollectible Revenues	Exhibit 27: IX §§ 3.1, 3.1.2, 3.1.3

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following parties by hand delivery this 14th day of February, 1997.

Martha Carter Brown Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399

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Tio O. re

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