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August 8, 1997

Via Facsimile and Federal Express
(904) 413-6344(f)

Ms. Blanca Bayo
Florida Public Service Commission
2540 Shumard Oak Boulevard
Gerald Gunter Building
Tallahassee, Florida 32399-0850

Re: *Docket No. 97-504-TL*
Petition for Transfer
of N11 Codes by 311 Direct, Inc.

Dear Ms. Bayo:

National Telephone Enterprises, Inc. ("NTE") presents this supplemental filing in the above-captioned proceeding. This letter supplements NTE's Motion to Dismiss, which was filed with your office on July 8, 1997. NTE's Motion to Dismiss was filed in response to the Petition for Transfer of N11 Codes by 311 Direct, Inc. ("311 Direct") which was filed with the Florida Public Service Commission ("FPSC") on May 19, 1997.

NTE has received a letter dated July 3, 1997, addressed to Mr. Richard Cohen, President of NTE, from William A. Schneider of BellSouth Telecommunications, Inc. ("BellSouth"). Said letter is attached to this filing as Exhibit A. The BellSouth letter concerns the disposition of N11 applications which were submitted to BellSouth by NTE and the assignment of the 211 code in certain Florida cities. Since these issues are in dispute in a contested proceeding before the FPSC, the substance of the letter is cause for concern by NTE.

Mr. Schneider's letter opens by informing NTE that BellSouth had "been directed by the Florida Public Service Commission to transition the existing user of 311 in Florida to 211 where that number is available." Mr. Schneider states that he "therefore direct[ed] Coopers & Lybrand to hold 211 as reserved in the following cities: Miami, Fort Lauderdale, West Palm Beach, Boca Raton,

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Delray Beach, Melbourne, and Gainesville." He then adds, "[i]t is my opinion that this does not affect your reservation of 211 in Orlando, for which we received your check before **this agreement was reached**" (emphasis added).

In a subsequent telephone conversation on July 28, 1997 with Mr. Schneider and Mr. David Jordan of Coopers & Lybrand, Mr. Schneider indicated that a meeting took place on May 5, 1997 between BellSouth officials and FPSC staff with the ostensible purpose of assisting 311 Direct transition from the 311 code to the 211 code in Florida. Additionally, 311 Direct's counsel sent letters dated April 18, 1997 to Mr. David Jordan of Coopers & Lybrand (which acts as N11 administrator on behalf of BellSouth) and Mr. Walter D'Haeseleer of the FPSC, respectively, concerning the transition of 311 Direct to the 211 code. Copies of these letters are attached as Exhibit B.

In light of these communications, a fair interpretation allows NTE to conclude that the 211 code assignment in Florida was predetermined as the result of an agreement reached between BellSouth and the FPSC either prior to or concurrent with the above captioned contested proceeding. In fact, NTE is without knowledge to discern whether the proper assignment of N11 codes has taken place as dictated by the terms and conditions of BellSouth's A39. Abbreviated Dialing tariff.

NTE contends that Mr. Schneider must be misinformed when he represents that the FPSC has directed BellSouth to assign (or refrain from assigning) N11 in the cities in question. Accordingly, NTE asks the FPSC to request BellSouth to produce all N11 code applications which it has received for the Florida cities in question. Likewise, NTE requests the FPSC to direct BellSouth to process N11 service code applications in strict compliance with its duly filed A39. Abbreviated Dialing tariff provisions until such time as the FPSC rules in the above captioned proceeding.

An extra copy of this filing is enclosed. Please date stamp the extra copy and return it to this office in the self-addressed stamped envelope. If you have any questions concerning this matter, please contact the undersigned.

Respectfully submitted,


Charles H. Helcin
Counsel to National Telephone Enterprises, Inc.

Enclosure

EXHIBIT A

BellSouth Telecommunications, Inc.

BellSouth Telecommunications, Inc.
South E511
3535 Colonnade Parkway
Birmingham, AL 35243

July 3, 1997

Mr. Richard Cohen
National Telephone Enterprises
107 South Eighth Street
Philadelphia, PA 19106

cc: Mr. David Jordan, Coopers & Lybrand

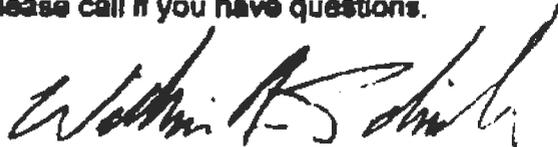
Dear Richard:

As we discussed by telephone, I have been directed by the Florida Public Service Commission to transition the existing user of 311 in Florida to 211 where that number is available. I am therefore directing Coopers & Lybrand to hold 211 as reserved in the following cities: Miami, Fort Lauderdale, West Palm Beach, Boca Raton, Delray Beach, Melbourne, and Gainesville.

It is my opinion that this does not affect your reservation of 211 in Orlando, for which we received your check before this agreement was reached.

Coopers & Lybrand has forwarded to us your current request for 211 in nine Florida cities. Given the above described situation, we can accept your applications for 211 in Daytona Beach, Pensacola, Panama City and Port St. Lucie. In the other cities, West Palm Beach, Boca Raton, Delray Beach, Melbourne, and Gainesville, we cannot accept the request and will therefore arrange to return your funds.

Please call if you have questions.



William A. Schnelder
Product Manager - N11 Abbreviated Dialing Service

EXHIBIT B

**MUCHNICK
WASSERMAN
& DOLIN**

Attorneys At Law
A Partnership of Professional Associations

Sanford L. Muchnick, P.A.
Jeffrey P. Wasserman, P.A.
Susan L. Dolin, P.A.*
Daniel R. Levine
Merle Litman (1926-1977)

* Also Admitted to
Ohio Bar

April 18, 1997

VIA TELEFAX (904) 413-6515 & U.S. MAIL

Mr. Walter D'Haeseleer
Director of Public Service Commission
Division of Communications
2540 Sumner Oak Boulevard
Tallahassee, FL 32399-0850

Re: 311 Direct, Inc.

Dear Mr. D'Haeseleer:

We represent 311 Direct, Inc., a Florida corporation, who is submitting this letter as a request for approval of a transfer from the N11 number, 311, to the N11 number, 211 and to apply the monies paid for the 311 license to the utilization of the 211 number

To give you some background with reference to this issue, as you are probably aware, the FCC in the matter of the use of N11 codes and other abbreviated dialing arrangements under CC Docket Number 92-105 in February of 1997 authorized the use of the N11 number 311 for non-emergency police telephone calls in the different communities in the United States, as recommended by the Department of Justice. This was signed into law by President Clinton. Essentially, what has occurred is that our client, 311 Direct, has been placed in a position where it will be required to give up the use of its N11 number, 311, at such time as police agencies in the geographical locations in which our client has utilization of the 311 number provide notice of their intent to commence the utilization for their non-emergency lines. Our client currently has a license in the following areas for the utilization of the N11 number, 311: Miami, Fort Lauderdale, West Palm Beach, Boca Raton, Delray Beach, Melbourne and Orlando in the State of Florida.

It has come to our attention that 211 is currently available for utilization in these geographical locations and based upon the ruling of the FCC in directing that accommodations be made for the current utilizers of the 311 number to transfer them to a new N11 number, we are requesting authorization by the Public Service Commission to make this transfer so that my client may commence using the 211 number in these geographical locations.

Additionally, as my client has already paid for the license for the utilization of 311, it would appear only fair that the fees paid by my client be applied toward the utilization of the 211 number upon approval of the transfer.

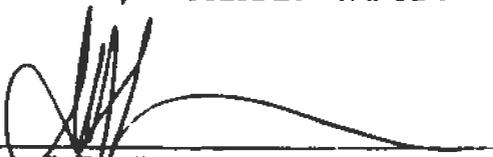
Mr. Walter D'Hacseleer
April 18, 1997
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My client has contacted Bell South for the purposes of requesting such a transfer and they have been advised to contact the Public Service Commission for approval of this transfer and the transfer of the license fee.

Kindly advise whether a hearing will be needed on this request or what other procedures need be followed with reference to effectuating the transfer of the number and license fee

Respectfully submitted,

MUCHNICK, WASSERMAN & DOLIN

By: 

Jeffrey P. Wasserman, Esq.

JPW:vmc

cc. 311 Direct, Inc
Coopers & Lybrand

**MUCHNICK
WASSERMAN
& DOLIN**

Attorneys At Law

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Jeffrey P. Wasserman, P.A.
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April 18, 1997

VIA TELEFAX (404) 870-1262 & U.S. MAIL

Mr. David Jordan
Coopers & Lybrand
1100 Campanile Building
1155 Peachtree Street
Atlanta, Georgia 30309

Re: 311 Direct, Inc.

Dear Mr. Jordan:

We represent 311 Direct, Inc. who is currently requesting the Florida Public Service Commission to approve a transfer of the utilization of its 311 numbers in the following geographic areas to the utilization of a 211 number in the geographic areas as a result of the FCC taking of the 311 number. The geographic areas are: Miami, Fort Lauderdale, West Palm Beach, Boca Raton, Delray Beach, Melbourne and Orlando, Florida.

It is unknown whether anyone has applied for the utilization of the 211 number in those areas, but we would ask if same has occurred that the process be delayed until the Public Service Commission can act upon the request being made pursuant to the letter, a copy of which we are enclosing.

My client has spoken directly with Bell South concerning the transfer of the utilization of the numbers and it was upon their recommendation that the letter of authorization was submitted to the Public Service Commission in Florida.

Mr. David Jordan

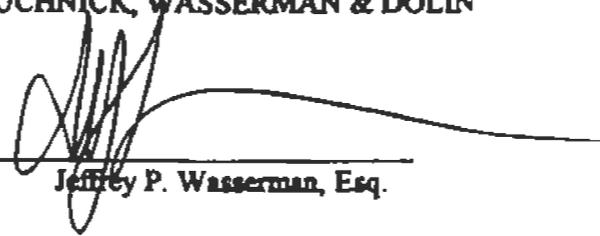
April 18, 1997

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If you feel that my client needs to do anything further with reference to protecting its interests so that no other entity will be licensed for utilization of the 211 number in those geographic areas set forth above, kindly contact us immediately.

Very truly yours,

MUCHNICK, WASSERMAN & DOLIN

By 

Jeffrey P. Wasserman, Esq.

JPW:vmc

cc: 311 Direct, Inc.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for use of 211 Services)
Code by 311 Direct, Inc.)**

Docket 970604-TL

Filed: August 11, 1997

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was served on the following Parties this 8th Day of August, 1997, as indicated below:

BY U.S. MAIL

Jeffery Wasserman, Esq.
Muchnick, Wasserman & Dolin
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BY U.S. MAIL

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BY U.S. MAIL

Robert G. Beatty, Esq.
Nancy White, Esq.
BellSouth Telecommunications, Inc.
c/o Nancy H. Sims
150 So. Monroe Street, Suite 400
Tallahassee, Florida 32301

BY OVERNIGHT COURIER

Will Cox, Esq.
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Division of Legal Services
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Tallahassee, Florida 32399-7704

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