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REPLY TO:
P.O. BOX 10095
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April 9, 1998

Ms. Blanco Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

via Hand Delivery

In Re: Complaint of Worldcom Technologies, Inc.
against BellSouth Telecommunications, Inc.
for breach of terms of Florida Partial
Interconnection Agreement under Sections 251 and
252 of the Telecommunications Act of 1996, and
request for relief

Docket No. 971478-TP

Dear Ms. Bayo:

Enclosed for filing please find an original and fifteen copies
of the Petition for Leave to Intervene by Time Warner AxS of
Florida, L.P. for the above-referenced docket. You will also find
a copy of this letter enclosed. Please date-stamp this copy to
indicate that the original was filed and return a copy to me.

If you have any questions regarding this matter, please feel
free to contact me. Thank you for your assistance in processing
this filing.

Respectfully,
Barbara D. Auger
Barbara D. Auger

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU *Handwritten initials*
- CTR _____
- EAG _____
- LEG 1
- LIN _____
- OFC _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

BDA/kab

Enclosures: As noted

cc: All Parties of Record (w/enclosure)

DOCUMENT NUMBER-DATE

04105 APR-98

FILED IN OPS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint of Worldcom Technologies, Inc. against BellSouth Telecommunications, Inc. for breach of terms of Florida Partial Interconnection Agreement under Sections 251 and 252 of the Telecommunications Act of 1996, and request for relief

Docket No. 971478-TP
Filed: April 9, 1998

PETITION FOR LEAVE TO INTERVENE BY TIME WARNER AXS OF FLORIDA, L.P. OR, IN THE ALTERNATIVE, TO ESTABLISH A GENERIC PROCEEDING

Time Warner AxS of Florida, L.P. ("Time Warner"), pursuant to Commission Rule 25-22.039, Florida Administrative Code, by and through its undersigned counsel, does hereby file its Petition of Intervention, and in support thereof states as follows:

1. The Petitioner's name and principal place of business are: Time Warner AxS of Florida, L.P., d/b/a Time Warner Communications, 2301 Lucien Way, Suite 300, Maitland, Florida 32751.

2. The names and addresses of the persons to whom copies of all correspondence, notices, orders and other documents in this proceeding should be sent are as follows:

Peter M. Dunbar, Esq.
Barbara D. Auger, Esq.
Pennington, Moore, Wilkinson
& Dunbar, P.A.
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Vice President of
Regulatory Affairs
Southeast Region
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Post Office Box 210706
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3. Time Warner is a certified by the Florida Public Service Commission to provide both local and long distance

DOCUMENT NUMBER-DATE

04105 APR-98

FPSC PROGRESS REPORTING

telecommunications services. Time Warner is currently providing local service in the state of Florida.

4. Time Warner currently provides local telecommunications services pursuant to its interconnection agreement with BellSouth Telecommunications, Inc. (BellSouth). One provision of the BellSouth/Time Warner interconnection agreement provides for the mutual compensation for the termination of local calls.

5. By letter dated August 12, 1997, BellSouth sent a letter to "All Competitive Local Exchange Carriers" stating that BellSouth considers local calls made to Internet service providers (ISPs) to be jurisdictionally interstate, and that it would not submit payment for the termination of local calls made to Internet service providers on Intermedia's network. MFS Intelent of Florida, Inc. (MFSI), now known as WorldCom Technologies, Inc. (WTI), was one of the competitive local exchange carriers that received the August 12, 1997 letter.

6. WTI's complaint in this docket alleges that by virtue of BellSouth's August 12th letter and its continuing refusal to recognize local calls made to ISPs as local traffic for purposes of mutual compensation, BellSouth has breached its interconnection agreement with MFS. As relief, WTI requests inter alia that the Commission rule

...that all telephone calls placed within the same local calling area from a BellSouth provided telephone exchange service end user to an MFS provided telephone exchange service end user qualify as local traffic within the meaning of its...(interconnection agreement).

7. Time Warner finds itself in much the same positions WTI.

Specifically, BellSouth's August 12th letter and its course of conduct with respect to local ISP traffic breach the BellSouth-Time Warner interconnection agreement.


8. This is a case of first impression involving the same issue currently in dispute between Time Warner and BellSouth. Thus, the Commission's decision in this docket will have a direct effect on the substantial interests of Time Warner and its customers. Moreover, because of Time Warner's experience with respect to the issues to be determined in this docket, Time Warner's participation as a party will facilitate in developing the record. Thus, as contemplated under Section 120.52(12)(c), Florida Statutes, the Commission should allow Time Warner to participate in This proceeding as a party.

9. Furthermore, the issues to be determined in this docket will have general applicability to all ALECs in the State of Florida. For this reason, the issue regarding local ISP traffic should be heard in a generic proceeding whereby participation by all ALECs should allowed. Intervention has been allowed in similar complaint proceedings in Tennessee and North Carolina where Time Warner actively participates.

For the reasons stated above, Time Warner respectfully request that the Commission grant its petition for intervention and permit Time Warner to participate as a full party in this docket or, in

the alternative, establish a generic docket to hear these issues.

This Petition to Intervene is respectfully submitted this 9th day of April, 1998.



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Counsel for: Time Warner AxS of
Florida, L.P., d/b/a Time
Warner Communications

CERTIFICATE OF SERVICE
DOCKET NO. 971478-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by U.S. Mail on this 9th day of April, 1998, to the following parties of record:

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