# GRAHAM MOODY & SOX

ATTORNEYS AT LAW

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GOVERNMENTAL CONSULTANT
\*NOT A MEMBER OF THE FLORIDA BAR

November 10, 1999

## **VIA HAND DELIVERY**

Ms. Blanco Bayo, Director Division of Records and Reporting Room 110, Easley Building Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Re: MediaOne Florida Telecommunications, Inc.

990149-TP

Dear Ms. Bayo:

Please find enclosed for filing on behalf of MediaOne Florida Telecommunications, Inc., the following documents:

Original and 7 copies of our Notice of Filing

Please acknowledge receipt of these documents by stamping the extra copy of this letter "Filed" and returning the same to me.

I thank you very much for your assistance in this matter.

Very truly yours,

William B. Graham

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Susan Keesen Dick Karre

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DOCUMENT NUMBER-DATE

### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by MediaOne
Florida Telecommunications,
Inc. for arbitration of an
interconnection agreement with
BellSouth Telecommunications,
Inc. pursuant to Section 252(b) DOCKET NO. 990149-TP
of the Telecommunications Act
of 1996.

#### NOTICE OF FILING

COMES NOW, MediaOne Florida Telecommunications, Inc, ("MediaOne") by and through its undersigned counsel and hereby files with the Florida Public Service Commission this Notice of Filing.

On October 14, 1999, the Florida Public Service Commission ("FPSC") filed its Final Order on Arbitration, Order No. PSC-99-2009-FOF-TP. On October 29, 1999, MediaOne filed its Motion for Reconsideration and Request to File Supplemental Authority. In that motion MediaOne advised the FPSC that on September 15, 1999, the Federal Communications Commission ("FCC") decided the UNE Remand Proceeding. At the direction of the United States Supreme Court, the FCC there reconsidered section 51.319 of its rules, which established conclusively the network elements to be offered on an unbundled basis by the incumbent local exchange carrier. MediaOne believes that the findings of the FCC in the UNE Remand Proceeding are dispositive of the issues raised by Media One in this proceeding concerning the Calling Name Database and the appropriate treatment of Network Terminating Wire ("NTW").

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At the time of MediaOne's Motion for Reconsideration, the FCC had not released its written order in the <u>UNE Remand Proceeding</u>. It had only issued a press release summarizing its decisions. In its Motion for Reconsideration MediaOne sought permission to file supplemental authority in the form of the FCC's final written order once that order was available.

On November 5, 1999, the FCC issued its Third Report and Order and Fourth Further Notice of Proposed Rulemaking in the <u>UNE Remand Proceeding</u>. The written report exceeds 500 pages in length and the undersigned believes that this Commission is already in possession of a copy of that Order. Consequently, a copy of the written order is not attached with this Notice of Filing.

WHEREFORE, MediaOne hereby respectfully requests that this Commission consider the findings contained in the <u>UNE Remand</u>

<u>Proceeding</u> and grant MediaOne's Motion for Reconsideration.

Respectfully submitted, this 10<sup>th</sup> day of November, 1999.

William B. Graham, Esq. Fla. Bar No. 359068
Graham Moody & Sox, P.A. 101 N. Gadsden Street
Tallahassee, FL 32301

(850) 222-6656

In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act of 1966, CC Docket No. 96-98, Third Report and Order and Fourth Further Notice of Proposed Rulemaking (November 5, 1999).

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by MediaOne Florida Telecommunications, Inc. for arbitration of an interconnection agreement with BellSouth Telecommunications, Inc. pursuant to Section 252(b) DOCKET NO. 990149-TP of the Telecommunications Act of 1996.

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Notice of Filing has been furnished by Hand Delivery to:

Lee Fordham, Esq. Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

J. Phillip Carver c/o Nancy Sims BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, FL 32399

this 10th day of November, 1999.

William B. Graham, Esq. Fla. Bar No. 359068 Graham Moody & Sox, P.A. 101 N. Gadsden Street Tallahassee, FL 32301 (850) 222-6656