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June 29, 2001

Mrs. Blanca S. Bayó  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

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**Re: Docket No. 010740-TP (IDS Complaint)**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Proposed Issues List, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

*James Meza III*  
James Meza III (CM)

cc: All Parties of Record  
Marshall M. Criser III  
R. Douglas Lackey  
Nancy B. White

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**CERTIFICATE OF SERVICE  
Docket No. 010740-TP**

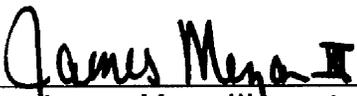
I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

(\*) Facsimile and U.S. Mail this 29th day of June, 2001 to the following:

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James Meza III (KA)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of IDS Long Distance, ) Docket No. 010740-TP  
Inc. n/k/a IDS Telecom, L.L.C., Against )  
BellSouth Telecommunications, Inc. )  
and Request For Emergency Relief ) Filed: June 29, 2001

**BELLSOUTH'S PROPOSED ISSUES LIST**

BellSouth Telecommunications, Inc. ("BellSouth") submits the following proposed list of issues to be discussed at the Issue Identification Conference scheduled for July 3, 2001 in the above-captioned proceeding:

**A. Count 1: Breach of Interconnection Agreement**

1(a). Can IDS prove that BellSouth failed to provide IDS Long Distance, Inc. n/k/a IDS Telecom, L.L.C. ("IDS") OSS and UNEs at parity?

1(b). If so, has BellSouth breached the BellSouth/IDS Interconnection Agreement as a result of such failure?

1(c). If so, can IDS prove that it sustained any damages as a direct result of the breach?

**B. Count 3a: Winback Activities<sup>1</sup>**

2(a). Can IDS prove that, through its Full Circle Program, BellSouth "perpetrated a campaign of anticompetitive behavior" against IDS? If so, can IDS prove that it was harmed as a direct result of BellSouth's alleged anticompetitive behavior?

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<sup>1</sup> IDS's Complaint contains two Count 3's. To avoid any confusion, BellSouth has identified the first Count 3 as Count 3a and the second Count 3 as Count 3b.

2(b). Can IDS prove that BellSouth has “actively sought” to destroy IDS’ reputation? If so, can IDS prove that it was harmed as a direct result of BellSouth’s actions.

2(c). Can IDS prove that BellSouth violated Section 364.01(g), Florida Statutes, and the Telecommunications Act of 1996 through its Full Circle Program?

2(d). Can IDS prove that BellSouth’s Full Circle Program violated Section 364.01(4)(h), Florida Statutes?

2(e). Can IDS prove that BellSouth’s Full Circle Program is a barrier to local competition? If so, can IDS prove that it was harmed as a direct result of BellSouth’s actions.

**C. Count 3b: Customer Proprietary Network Information**

3. Can IDS prove that BellSouth impermissibly used IDS’s Customer Proprietary Network Information (“CPNI”) in order to winback IDS’s customers?

**D. Count 4: Show Cause Proceeding**

4(a). Can IDS prove that BellSouth’s alleged anticompetitive actions endanger “the public health, safety, and welfare.”

4(b). If so, should the Commission initiate a show cause proceeding against BellSouth for alleged anticompetitive behavior?

**E. Request for Emergency Relief**

5(a). Can IDS prove that it is entitled to emergency relief?

5(b) If so, and if IDS is able to prove the claims set forth in Count 3a, can the Commission order the “suspension of the Full Circle Program tariff and

place a moratorium on any and all win back activities of BellSouth pending the conclusion of this proceeding[?]" If so, can IDS prove that it is entitled to such a remedy?

5(c). If so, and if IDS is able to prove the claims set forth in the Complaint, can the Commission order as a remedy that all monies IDS pays in the future to BellSouth be subject to refund pending the conclusion of this proceeding? If so, can IDS prove that it is entitled to such a remedy?

**F. Request for Permanent Relief**

6(a). If IDS is able to prove the claims set forth in Count 1, can the Commission order as a remedy the suspension "of the Full Circle Program tariff and place a moratorium on all win back activities by BellSouth for twelve months after BellSouth proves conclusively to the Florida Public Service Commission that it is offering OSS and UNEs at parity[?]" If so, can IDS prove that it is entitled to such a remedy?

6(b). If IDS is able to prove the claims set forth in Count 1, can the Commission order as a remedy that "all monies paid by IDS to BellSouth [be] subject to refund until such time as BellSouth proves conclusive to the Florida Public Service Commission that it is offering OSS and UNEs at parity with the OSS and UNEs that it provides its retail division[?]" If so, can IDS prove that it is entitled to such a remedy?

6(c). If IDS is able to prove the claims set forth in Count 1, including the claim that IDS has sustained harm as a result of the failure to provide services at parity, can the Commission order BellSouth to refund to IDS monies paid in

excess of the cost to IDS as a result of receiving services below parity? If so, can IDS prove that it is entitled to such a remedy?

Respectfully submitted this 29<sup>th</sup> day of June, 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.

*Nancy B. White*

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