

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint and request for emergency relief against Verizon Florida, LLC for anticompetitive behavior in violation of Sections 364.01(4), 364.3381, and 364.10, F.S., and for failure to facilitate transfer of customers' numbers to Bright House Networks Information Services (Florida), LLC, and its affiliate, Bright House Networks, LLC.

DOCKET NO. 070691-TP

In re: Complaint and request for emergency relief against Verizon Florida, L.L.C. for anticompetitive behavior in violation of Sections 364.01(4), 364.3381, and 364.10, F.S., and for failure to facilitate transfer of customers' numbers to Comcast Phone of Florida, L.L.C. d/b/a Comcast Digital Phone.

DOCKET NO. 080036-TP

FILED: JULY 25, 2008

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COMMISSION  
CLERK

COMMISSION STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-08-0235-PCO-TP, issued April 10, 2008, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

None.

b. All Known Exhibits

None.

c. Staff's Statement of Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

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ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
RCP \_\_\_\_\_  
SSC \_\_\_\_\_  
SGA \_\_\_\_\_  
ADM \_\_\_\_\_  
CLK \_\_\_\_\_

d. Staff's Position on the Issues

**ISSUE 1: IS VERIZON OBTAINING AN UNDUE OR UNREASONABLE ADVANTAGE BY MARKETING A CUSTOMER WHEN RECEIVING A LOCAL SERVICE REQUEST TO PORT A SUBSCRIBER'S TELEPHONE NUMBER FOR BRIGHT HOUSE OR COMCAST, IN VIOLATION OF SECTION 364.10(1)? IF SO, HOW IS VERIZON DOING SO?**

DOCUMENT NUMBER-DATE

06482 JUL 25 8

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**STAFF:** Staff has no position at this time.

**ISSUE 2:** DOES VERIZON TIMELY COMPLETE PORTING OF A SUBSCRIBER'S TELEPHONE NUMBER UPON REQUEST OF BRIGHT HOUSE OR COMCAST, PURSUANT TO RULE 25-4.082, F.A.C.?

**STAFF:** Staff has no position at this time.

**ISSUE 3:** IS VERIZON'S RETENTION MARKETING PROGRAM FOR VOICE CUSTOMERS ANTI-COMPETITIVE, IN VIOLATION OF SECTION 364.01(4)(g)? WHY OR WHY NOT?

**STAFF:** Staff has no position at this time.

**ISSUE 4:** WHAT ACTION, IF ANY, SHOULD THE COMMISSION TAKE WITH RESPECT TO VERIZON'S RETENTION MARKETING PROGRAM?

**STAFF:** Staff has no position at this time.

e. Stipulated Issues

Staff is aware of no stipulated issues.

f. Pending Motions

Staff has no pending motions.

g. Pending Confidentiality Claims or Requests

Staff has no pending confidentiality claims or requests.

h. Compliance with Order No. PSC-08-0235-PCO-TP

Staff has complied with all requirements of the Order Establishing Procedure entered in this docket.

COMMISSION STAFF'S PREHEARING STATEMENT  
DOCKET NOS. 070691-TP, 080036-TP  
PAGE 3

Respectfully submitted this 25<sup>th</sup> day of July, 2008.

A handwritten signature in black ink, appearing to read "H. F. Mann", written over a horizontal line.

H F. MANN  
Staff Counsel

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and five correct copies of COMMISSION STAFF'S PREHEARING STATEMENT has been filed with the Office of Commission Clerk and one copy has been furnished to the following by U. S. mail, this 25<sup>th</sup> day of July, 2008:

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06482 JUL 25 08

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DOCKET NOS. 070691-TP, 080036-TP  
PAGE 2

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