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April 2, 2003

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0870

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COMMISSION
CLERK

Re: Docket No.: 020507-TP

Dear Ms. Bayo:

On behalf of the Florida Competitive Carriers Association (FCCA), AT&T Communications of the Southern States, LLC (AT&T), MCI WorldCom Communications, Inc. and MCI metro Access Transmission Services, LLP (collectively, WorldCom), ITC^DeltaCom Communications, Inc. (ITC^Deltacom), Access Integrated Networks Inc. (AIN) and BellSouth Telecommunications, Inc. (BellSouth), enclosed for filing and distribution are the original and 15 copies of the following:

- 03111-03 ▶ Joint Motion for Approval of Settlement Agreement; and
- 03112-03 ▶ Joint Motion for Continuance.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

Sincerely,

Vicki Gordon Kaufman

AUS _____
CAF _____
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OPC _____ Enclosures
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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Florida Competitive Carriers Association against BellSouth Telecommunications, Inc. regarding BellSouth's practice of refusing To provide FastAccess Internet Service To customers who receive voice service From a competitive voice provider, and For expedited relief.

Docket No. 020507-TL

Filed: April 2, 2003

JOINT MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT

The Florida Competitive Carriers Association (FCCA), AT&T Communications of the Southern States, LLC (AT&T), MCI WorldCom Communications, Inc. and MCImetro Access Transmission Services, LLP (collectively, WorldCom), ITC^DeltaCom Communications, Inc. (ITC^DeltaCom), Access Integrated Networks, Inc. (AIN) and BellSouth Telecommunications, Inc. (BellSouth) (collectively, Joint Movants) move this Commission for an order approving the Settlement Agreement, attached hereto as Exhibit A, entered into by and between the above parties. Approval of the Settlement Agreement will resolve the pending discovery dispute between the FCCA and BellSouth and permit this case to move forward to hearing on the substantive issues. The Joint Movants further request that the Commission take the necessary action to continue the hearing currently scheduled for April 22, 2003 and reschedule this case for hearing in accordance with the parameters of the Settlement Agreement, to the extent possible.¹

¹ The Joint Movants have simultaneously filed a Joint Motion for Continuance.

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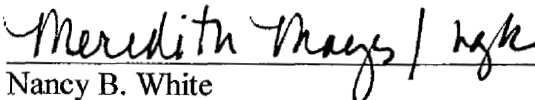
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **JOINT MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT** has been furnished by hand delivery (*) to the following this 2nd day of April, 2003:

(*) Patricia Christensen
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

(*) David Smith
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399


Vicki Gordon Kaufman

SETTLEMENT AGREEMENT

This Settlement Agreement is made and entered into this 2nd day of April, 2003 by and between the Florida Competitive Carriers Association (FCCA), AT&T Communications of the Southern States, LLC (AT&T), MCI WorldCom Communications, Inc. and MCImetro Access Transmission Services LLP (collectively, WorldCom), ITC^DeltaCom Communications, Inc., Access Integrated Networks, Inc. (AIN) and BellSouth Telecommunications, Inc. (BellSouth) (collectively, the Parties).

WHEREAS, the FCCA has filed a Complaint against BellSouth, denominated Docket No. 020507-TL, in which it seeks a ruling that BellSouth be required to cease its practice of refusing to provide its FastAccess service to retail customers who choose a provider other than BellSouth for voice service;

WHEREAS, BellSouth has contested the substance of the FCCA's Complaint;

WHEREAS, BellSouth has propounded discovery to the FCCA and the FCCA has objected to such discovery thus giving rise to a dispute over the discovery;

WHEREAS, the BellSouth and the FCCA wish to amicably resolve this discovery dispute and avoid the time and expense of further litigation regarding the outstanding discovery issues;

NOW, THEREFORE, in consideration of the foregoing, said Parties do mutually agree as follows:

1. AT&T, WorldCom and AIN shall be substituted for the FCCA as the Complainants in this docket.
2. The status of ITC^DeltaCom, whose petition to intervene was granted in Order No. PSC-02-1515-PCO-TL on November 5, 2002, shall not be affected by this Agreement.
3. Upon approval of this Settlement Agreement, the FCCA shall withdraw as a party from this docket. Thus, there will be no need for the Commission to rule on the FCCA's Motions for Reconsideration of Order Nos. PSC-03-0084-PCO-TL and PSC-03-180-PCO-TL, filed on January 17, 2003 and February 17, 2003, and each FCCA association member is not required to respond to the outstanding discovery.
4. All prefiled testimony (direct and rebuttal), prehearing positions and discovery responses (including interrogatories, production requests, and depositions) shall be adopted by the appropriate substituting party(ies) and shall be available for use in this case, subject to appropriate objection at the time of hearing.
5. AT&T, WorldCom and AIN shall respond to the outstanding discovery as set forth in Order Nos. PSC-03-0084-PCO-TL and PSC-03-0180-PCO-TL, as if such requests were

addressed individually to AT&T, WorldCom and AIN, within fourteen (14) calendar days of a Commission order approving this Settlement Agreement. BellSouth will have seven (7) calendar days to review the responses. If necessary, the Parties shall have an additional three (3) calendar days to confer regarding the responses.

6. The Protective Agreement between the FCCA and BellSouth, executed on November 26, 2002, shall continue to govern the handling of all previously supplied confidential information. AT&T, WorldCom, AIN and BellSouth shall promptly execute Protective Agreements containing the same terms and conditions as the Protective Agreement between the FCCA and BellSouth. BellSouth shall authorize the FCCA to provide previously produced confidential information to AT&T, WorldCom, and AIN following the execution of the Protective Agreements or shall provide such information itself.

7. The Parties request that the hearing in this matter be held within 28 days of receipt of the outstanding discovery responses referred to in paragraph 5. If any additional time is needed for resolution of discovery matters, the Parties request that the hearing in this matter be held within 21 days after resolution of such discovery issues, but no later than June 30, 2003.

8. The Parties agree that they waive no arguments or rights by virtue of entering into this Settlement Agreement. The Parties reserve the right to take any position or make any argument in this docket on these matters if this Settlement Agreement is not accepted by the Commission in its entirety. The Parties further reserve the right to take any position and make any argument in any future dockets. This Settlement Agreement shall not be read as an admission by any Party and shall have no precedential significance in any other proceeding.

9. The Parties will present this Settlement Agreement to the Commission for approval as quickly as possible. If the Commission does not accept the Settlement Agreement in its entirety, it shall be null and void.

DATED this 2nd day of April, 2003.

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