

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by American ) DOCKET NO. 961537-TP  
Communications Services, Inc., ) ORDER NO. PSC-97-0155-PCO-TP  
and its local exchange operating ) ISSUED: February 13, 1997  
subsidiaries, for Arbitration )  
with GTE Florida, Inc. pursuant )  
to the Telecommunications Act of )  
1996. )  
\_\_\_\_\_ )

ORDER DETERMINING ISSUES

On July 30, 1996, American Communications Services, Inc. (ACSI), on behalf of its local exchange operating subsidiaries in Florida, requested interconnection, services, and unbundled network elements from GTE Florida, Inc. (GTEFL) under Section 251 of the Telecommunications Act of 1996. On December 26, 1996, ACSI filed a petition for arbitration of all issues not resolved through negotiations with GTEFL.

The prehearing conference has been scheduled for March 3, 1997, and the hearing is set to be held March 20-21, 1997. In preparation for the hearing, Commission staff conducted an Issue Identification workshop on January 29, 1997. All of the parties to this docket participated in the meeting.

At the Issue Identification workshop, an agreement was reached that the following issues should be addressed in this docket:

1. Are the following items considered to be network elements, capabilities, or functions? If so, is it technically feasible for GTEFL to provide ACSI with these items? If technically feasible, what should the rates be for these items?

Multiplexing  
Digital Cross-Connect  
Channelization

2. What should be the recurring and nonrecurring rates of each of the following items:

Network Interface Device  
Unbundled Loops

3. What should be the recurring and nonrecurring rate for interim local number portability (RCF, DID)?
4. Should GTEFL permit ACSI to cross-connect with other collocators on GTEFL's property and, if so, what should be charged for such cross-connection?

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4. Should GTEFL permit ACSI to cross-connect with other collocators on GTEFL's property and, if so, what should be charged for such cross-connection?
5. Should GTEFL be required to permit ACSI to collocate its remote switching modules in GTEFL's central offices?
6. What should be the compensation mechanism for the exchange of local traffic between ACSI and GTEFL?
7. Should ACSI be allowed to combine GTEFL's unbundled network elements in any manner it chooses including recreating existing GTEFL services?
- 8.\*\* What restrictions, if any, apply to the availability to ACSI of individual provisions contained in those interconnection agreements GTEFL has with other carriers?

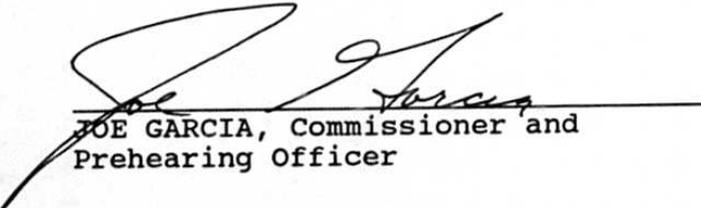
\*\* Issue 8 is a contested issue at this time. The Prehearing Officer will determine whether Issue 8 is appropriate for this proceeding at the Prehearing Conference.

I find that these issues are appropriate; therefore, the issues set forth above, with the exception of Issue 8, are approved for consideration in this proceeding.

Based on the foregoing, it is

ORDERED by Commissioner Joe Garcia, as Prehearing Officer, that the issues identified in the body of this Order, with the exception of Issue 8, are approved for consideration in this proceeding.

By ORDER of Commissioner Joe Garcia, as Prehearing Officer, this 13th day of February, 1997.

  
JOE GARCIA, Commissioner and  
Prehearing Officer

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.