

ORIGINAL
MAR 29 1994

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for expanded inter-connection for alternate access vendors within local exchange company central offices by INTERMEDIA COMMUNICATIONS OF FLORIDA, INC.)	DOCKET NO. 921074-TP
)	FILED: 03/29/94
)	
)	

MOTION FOR CLARIFICATION

Intermedia Communications of Florida, Inc. (Intermedia), pursuant to Rule 25-22.060, Florida Administrative Code, hereby files this Motion for Clarification of Order No. PSC-94-0285-FOF-TP, issued in this docket on March 10, 1994. Specifically, Intermedia requests clarification of the Commission's decision with respect to the "fresh look" requirements of the order.

1. On Page 37 of the order the Commission instituted a fresh look policy with regard to recent LEC interconnection tariffs:

[T]he tariffs shall contain a fresh look provision consistent with the fresh look policy adopted by the FCC. Specifically, customers with LEC special access services with terms equal to, or greater than, three years, entered into on, or before, February 1, 1994, shall be permitted to switch to competitive alternatives during the 90 day period after expanded interconnection arrangements are available in a given CO. If an end user chooses to switch to a competitor, termination charges to the LEC contract shall be limited to the additional charges that the customer would have paid for a contract covering the term actually used, plus the prime rate of interest. (emphasis added)

ACK _____
 AEA 2 _____
 APP _____
 CAF _____
 GMU _____
 GIB _____
 FAG _____
 LEG 12/17 _____
 LIT 6 _____
 OI _____
 R _____
 S 1 _____
 W _____
 UIR _____

2. The Commission's decision, however, does not perfectly track the FCC's fresh look policy. Specifically, on August 3, 1993, six months before this Commission's decision, the FCC reconsidered and modified its fresh look policy in a number of respects. The FCC determined that the fresh look requirements should apply to agreements with terms of three years or more, entered into on or before the date of adoption of the Special Access Order (September 17, 1992). The original requirements had applied only to agreements in excess of three years. The FCC also extended the fresh look period from 90 to 180 days. Where interconnection requests have been made but not yet fulfilled by the LEC, customers can take advantage of the fresh look opportunity by giving notice during the 180 day period of their intention to terminate an agreement. The agency also required LECs to provide public notice in the form of a tariff transmittal when the fresh look period begins in each central office.

3. In Order No. PSC-94-0285-FOF-TP, the Commission clearly announced its intent to adopt the FCC's fresh look policy. At the time the Commission made its decision, however, the FCC required a fresh look period of 180 days after expanded interconnection is available in a given central office, rather than 90 days as stated in the Commission's order. The Commission should clarify its order to specify a fresh look of 180 days in order to ensure that its policy is, as it intended, perfectly consistent with the FCC's fresh look policy.

WHEREFORE, INTERMEDIA requests that this Commission clarify its order setting a fresh look period of only 90 days.

Respectfully submitted this 29th day of March, 1994.



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CERTIFICATE OF SERVICE

Docket No. 921074-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by United States Mail this 29th day of March, 1993, to the following:

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