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Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32301

Re: In re: Expanded Interconnection Phase II and
Local Transport Restructure; Docket Nos. 931074-TP,
930955-TL, 940014-TL, 940020-TL and 931196-TL

Dear Ms. Bayo:

Enclosed for filing in the above-styled docket are the original and fifteen (15) copies of United Telephone Company of Florida's Opposition to Citizens' First Motion to Compel.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

ACK
REC

Thank you for your assistance in this matter.

RECEIVED & FILED

Yours truly,

FPSC-BUREAU OF RECORDS

John P. Fons

JPE/esu

LEG (Enclosures)

LH ccl Parties of Record (w/encl.)

ued/bayo-noa

SEC

W/S

OTH

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Expanded Interconnection) Docket Nos. 921074-TP,
Phase II and Local Transport) 930955-TL, 940014-TL,
Restructure) 940020-TL, and 931196-TL

) Filed: June 2, 1994

UNITED TELEPHONE COMPANY OF FLORIDA'S
OPPOSITION TO CITIZENS' FIRST MOTION TO COMPEL

United Telephone Company of Florida ("United" or "the Company"), pursuant to Rule 25-22.037(2)(b), Florida Administrative Code, opposes Citizens of Florida's ("Citizens" or "OPC") First Motion to Compel ("Motion") filed May 26, 1994, stating as follows:

1. OPC's Request for Production of Documents Nos. 4, 5 and 13 were objected to by United because they requested documents relating to "the introduction of competition into the provision of local exchange telephone services or markets." There is no issue in this proceeding which is focused on the introduction of local exchange telephone service competition. Instead, the focus of this proceeding is on the terms and conditions for expanding interconnection of special and switched access services provided by entities other than the incumbent local exchange companies. Not only does this proceeding not address "the introduction of competition into the provision of local telephone services or markets," there currently is no statutory basis for introducing such competition.

2. In its Motion, OPC contends that prefiled direct testimony of F. Ben Poag, dated May 23, 1994, in Phase II of this

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proceeding "believes the objection made to Citizens' requests for production of documents," (Motion, ¶4), and that "the Company's objection about relevance should be denied when the Company itself files testimony and makes presentation about subjects it claims to be irrelevant" (Motion, ¶4). OPC's attempt to construct a connection between Citizens' requests for production of documents, which were objected to by United, and United's testimony fails even cursory analysis and provides no sound basis for granting OPC's Motion.¹

3. Contrary to OPC's assertion, it is patently clear from the example cited by OPC that Mr. Poag's testimony is not addressing the "non-issue" of local exchange competition, to which the document production requests are directed, but rather it addresses the issues in the proceeding regarding LEC pricing flexibility to respond to competition resulting from expanded special and switched access and private line interconnection. See Issue Nos. 15 and 18, Order No. PSC-94-0277-PCO-TL, issued March 10, 1994. As Mr. Poag correctly notes in his prefiled direct testimony, the proposal to include switched access within expanded interconnection requirements will place United's switched access revenues substantially at risk. It is Mr. Poag's purpose to point

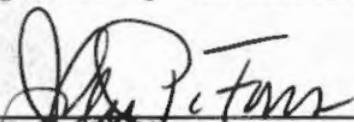
¹ OPC's attempted additional support for why the requests are relevant, that Mr. Poag made a "lengthy presentation and slide show to the Commission" in Phase I of this proceeding, is also specious. Similar to his testimony in this phase of the proceeding, Mr. Poag's presentation in Phase I focused on how the introduction of competition in the special and switched access services will adversely impact the ability of United to continue supporting low local service rates without additional pricing flexibility to meet the new access competition.

out that, as competition erodes the subsidies from these services that traditionally have supported residential local exchange rates, and unless United is granted additional access pricing flexibility, United's ability to maintain below-cost residential local exchange rates will be severely challenged. It borders on sophistry for OPC to claim that Citizens' inquiry into how United might respond to local exchange service competition is a relevant inquiry because Mr. Poag has testified on the need for access pricing flexibility to preserve low local exchange service rates.

WHEREFORE, having shown that OPC's attempt to link Mr. Poag's testimony to the "non-issue" of local exchange competition is factually deficient, United respectfully requests the Commission to deny Citizens' First Motion to Compel.

DATED this 2nd day of June, 1994.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail or hand delivery (*) this 2nd day of June, 1994, to the following:

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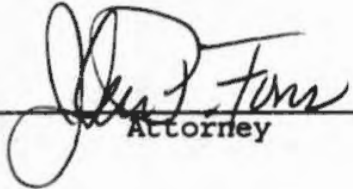
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