# AUSLEY & MCMULLEN

ATTORNEYS AND COUNSELORS AT LAW



227 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(904) 224-9115 FAX (904) 222-7560

July 23, 1996

## BY HAND DELIVERY

Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

	Discriminatory Rates, Terms, and Conditions
A 2517	for Resale Involving Local Exchange Companies and Alternative Local Exchange
ACK	Companies and Alternative Local Exchange Companies pursuant to Section 364.161,
4FA	Florida Statutes - Docket No. 950984-TP
APP.	
CAE_	Dear Ms. Bayo:
	Enclosed for filing in the above-styled docket are the
MU	original and fifteen (15) copies of Sprint-United/Centel's Motion
TR	for an Extension of Time to File Tariffs Required by Commission
AG	Order No. PSC-96-0811-FOF-TP.
.EG	Please acknowledge receipt and filing of the above by stamping
.IN	
	writer.
)PC	
RCH	Thank you for your assistance in this matter.
SEC	four tauly,
VAS	
	White the
	XI N 11/1 × 1 V V

Resolution of Petition to Establish Non

Enclosures

cc: All parties of record (w/encl.)

utd\950984.byo

FESC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
07726 JUL 23 %

Fons

TOCK-RECORDS/REPORTING

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution of Petition to )
Establish Non Discriminatory Rates,)
Terms, and Conditions for resale )
Involving Local Exchange )
Companies and Alternative Local )
Exchange Companies pursuant to )
Section 364.161, Florida Statutes )

DOCKET NO. 950984-TP

DATED: July 23, 1996

# SPRINT UNITED/CENTEL'S MOTION FOR AN EXTENSION OF TIME TO FILE TARIFFS REQUIRED BY COMMISSION ORDER NO. PSC-96-0811-FOF-TP

Pursuant to Rule 25-22.037(2)(b), Florida Administrative Code, United Telephone Company of Florida and Central Telephone Company of Florida (together "Sprint United/Centel") move the Florida Public Service Commission ("the Commission") to extend its time for filing the tariffs required by Order No. PSC-96-0811-FOF-TP ("Order"), stating as follows:

1. On June 24, 1996, the Commission issued its Order in this proceeding requiring, inter alia, Sprint United/Centel to file tariffs "no later than 30 days following the issuance of this Order." Order, pages 26 and 27, 32. The last date for filing these tariffs is July 24, 1996. The tariffs referenced in the Order relate to Sprint United/Centel providing unbundled loops and ports and the interim prices therefor which may be utilized by an Alternative Local Exchange Company ("ALEC"), such as Metropolitan Fiber Systems of Florida, Inc. ("MFS"), to provide competitive local exchange services.

DOCUMENT NUMBER-DATE

2. Sprint United/Centel is in the process of preparing the tariffs required by the Order, but will not be able to complete the process by July 24, 1996. The hold-up results from delays in the tariff review process, and the tariffs should be available for filing on July 29, 1996. This five (5) day delay in filing the tariffs should not inconvenience either the Commission, the petitioning party - MFS, or the public.<sup>1</sup>

WHEREFORE, having shown good cause for delaying the filing of the tariffs required by the Commission's Order, Sprint United/Centel respectfully request that this Motion be granted and Sprint United/Centel be granted an extension of time to July 29, 1996, to file the required tariff.

On July 8, 1996, MFS, the only petitioning party in this proceeding, its Motion filed for Reconsideration ("Reconsideration") of the Commission's Order. Reconsideration, MFS seeks reconsideration of a number of items, with the main emphasis on the pricing of unbundled loops. particular, MFS requests the Commission to use a different cost standard - TSLRIC reflecting the "incremental costs of an efficient new entrant using forward looking technologies" - and to price local loops on a geographically deaveraged basis. Reconsideration, p. 2. Sprint United/Centel filed a Response to MFS' Motion for Reconsideration opposing the relief requested by MFS because MFS has failed to meet the standards for reconsideration set forth in Diamond Cab Co. v. King, 146 So. 2d 889 (Fla. 1962). Additionally, on July 16, 1996, MFS filed its Petition for Arbitration Pursuant to 47 U.S.C. Section 252(b) of Interconnection Rates, Terms and Conditions with Sprint United-Centel of Florida, Inc. in which it asks arbitration for the prices of unbundled local loops and advocates the very same cost standard and price deaveraging as advocated in its Motion for Reconsideration.

Respectfully submitted,

JOHN P. FONS
J. WAHLEN
Ausley & McMullen
P. O. Box 391
Tallahassee, Florid

Tallahassee, Florida 32302 (904) 224-9115

ATTORNEYS FOR UNITED TELEPHONE COMPANY OF FLORIDA AND CENTRAL TELEPHONE COMPANY OF FLORIDA

### 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 23rd day of July, 1996, to the following:

Donna Canzano \*
Division of Legal Services
Florida Public Service Comm.
2540 Shumard Oak Blvd., Rm 370
Tallahassee, FL 32399-0850

Donald L. Crosby Continental Cablevision, Inc. Southeastern Region 7800 Belfort Parkway, Suite 270 Jacksonville, FL 32256-6925

Anthony P. Gillman Kimberly Caswell GTE Florida Incorporated Post Office Box 110, FLTC0007 Tampa, FL 31601-0110

Steven D. Shannon MCI Metro Access Transmission Svcs., Inc. 2250 Lakeside Blvd. Richardson, TX 75082 Leslie Carter Digital Media Partners 1 Prestige Place, Suite 255 2600 McCormack Drive Clearwater, FL 34619-1098

Rich Rindler Swidler & Berlin, Chartered 3000 K Street, N.W., Suite 300 Washington, DC 20007

David Erwin Young Van Assenderp et al. Post Office Box 1833 Tallahassee, FL 32302-1833

Richard A. Gerstemeier Time Warner AxS of FL, L.P. 2251 Lucien Way, Suite 320 Maitland, FL 32751-7023

Leo I. George Lonestar Wireless of FL, Inc. 1146 19th Street, NW, Suite 200 Washington, DC 20036 Robert S. Cohen Pennington Law Firm Post Office Box 10095 Tallahassee, FL 32302

Patrick K. Wiggins Wiggins & Villacorta, P.A. Post Office Drawer 1657 Tallahassee, FL 32302

Andrew D. Lipman Metropolitan Fiber Systems of FL, Inc. One Tower Lane, Suite 1600 Oakbrook Terrace, IL 60181-4630

Richard D. Melson Hopping Boyd Green et al. Post Office Box 6526 Tallahassee, FL 32314

J. Phillip Carver c/o Nancy H. Sims BellSouth Telecommunications 150 S. Monroe Street, Suite 400 Tallahassee, FL 32301

John Murray
Payphone Consultants, Inc.
3431 NW 55th Street
Ft. Lauderdale, FL 33309-6308

Patricia Kurlin Intermedia Communications of FL 3625 Queen Palm Drive Tampa, FL 33619

Gary T. Lawrence City of Lakeland 501 East Lemon Street Lakeland, FL 33801-5079

Jill Butler
Digital Media Partners/
Time Warner Communications
2773 Red Maple Ridge
Tallahassee, FL 32301

Graham A. Taylor TCG South Florida 1001 W. Cypress Creek Rd., Suite 209 Ft. Lauderdale, FL 33309-1949

Clay Phillips Utilities & Telecommunications Room 410 House Office Building Tallahassee, FL 32399

Greg Krasovsky
Commerce & Economic
Opportunities
Room 4265
Senate Office Building
Tallahassee, FL 32399

Charles Beck Office of Public Counsel 111 West Madison Street Room 812 Tallahassee, FL 32399-1400

Nels Roseland Executive Office of the Governor Office of Planning & Budget The Capitol, Room 1502 Tallahassee, FL 32399

Paul Kouroupas Director, Regulatory Affairs Teleport Communications Group Two Teleport Drive, Suite 300 Staten Island, NY 10311

Floyd R. Self Messer, Caparello, et al. Post Office Box 1876 Tallahassee, FL 32302

Michael W. Tye
AT&T
101 N. Monroe Street
Suite 700
Tallahassee, FL 32301

Robin D. Dunson 1200 Peachtree Street, NE Promenade I, Room 4038 Atlanta, GA 30309

Sue E. Weiske Time Warner Communications 160 Inverness Drive West Englewood, CO 80112

Laura L. Wilson FCTA 310 North Monroe Street Tallahassee, FL 32301

Ken Hoffman
Rutledge, Ecenia, et. al
215 S. Monroe Street, Suite 420
Tallahassee, FL 32301-1841

jjw\utd\950984.mot

Jodie Donovan-May
Eastern Region Counsel
Teleport Communications Group
1133 21st Street, NW, Suite 400
Washington, DC 20036

Mark K. Logan Bryant, Miller and Olive 201 S. Monroe Street, Suite 500 Tallahassee, FL 32301

Timothy Devine
Metropolitan Fiber Systems
6 Concourse Pkwy., Suite 2100
Atlanta, GA 30328

5