

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Intermedia)
Communications Inc. against)
GTE Florida Incorporated)
for breach of terms of Florida)
Partial Interconnection Agreement)
under Sections 251 and 252 of the)
Telecommunications Act of 1996,)
and request for relief.)

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RECORDS AND REPORTING

INTERMEDIA COMMUNICATIONS INC.'S PREHEARING STATEMENT

Intermedia Communications Inc. (Intermedia), hereby files this prehearing statement pursuant to Rule 25-22.038(3), Florida Administrative Code, and Order Nos. PSC-98-1398-PCO-TP and PSC-99-0163-PCO-TP.

- A. Witnesses: Julia O. Strow.
B. Exhibits: Julia O. Strow - JOS 1-9
C. INTERMEDIA'S BASIC POSITION

GTE Florida Incorporated's (GTEFL) refusal to provide reciprocal compensation for local Internet Service Providers traffic originated by GTEFL's end users that terminates on Intermedia's network constitutes a material and willful breach of the terms of the parties' Interconnection Agreement.

ACK D. E. and F. ISSUES

AFA ISSUE 1: Under their Interconnection Agreement, are Intermedia
APP Communications Inc. and GTE Florida Incorporated, required to
CAF compensate each other for transport and termination of traffic to
CMU Internet Service Providers? If so, what action, if any, should be
taken?

CTR INTERMEDIA'S POSITION: *Yes. The term "local traffic" as
EAG used in the Agreement and as construed consistently by
LEG 1 numerous regulatory bodies contemplates calls from end users
LIN 3 to Internet Service Providers both originating and terminating
OPC within GTEFL's local serving area. The Commission should
RCH issue an Order finding GTEFL to be in willful and material
SEC 1 breach of the parties' Agreement and requiring GTEFL to pay
WAS Intermedia for terminating such local traffic under the
OTH reciprocal compensation provisions of the Agreement.*

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DOCUMENT NUMBER-DATE
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FPSC-RECORDS/REPORTING


Intermedia believes Issue 1 is infused with factual, legal, and policy considerations.

G. Stipulated issues: To Intermedia's knowledge, there are no stipulated issues at this time.

H. Pending motions or other matters: To Intermedia's knowledge, there are no pending motions or other matters at this time.

I. Requirements that cannot be complied with: To Intermedia's knowledge, there are no procedural requirements with which Intermedia is unable to comply.

Respectfully submitted this 3rd day of February, 1999.


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