

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of : DOCKET NO. 992018-TP
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PETITION BY BELLSOUTH :
TELECOMMUNICATIONS, INC. FOR :
ARBITRATION OF RESALE AGREEMENT :
WITH ATLANTIC TELECOMMUNICATION :
SYSTEMS, INC. :

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PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER E. LEON JACOBS, JR.
Prehearing Officer

DATE: Friday, April 7, 2000

TIME: Commenced at 1:45 p.m.
Concluded at 1:50 p.m.

PLACE: Betty Easley Conference Center
Room 152
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: JANE FAUROT, RPR
FPSC Division of Records & Reporting
Chief, Bureau of Reporting

DOCUMENT NUMBER-DATE

04410 APR 10 8

1 APPEARANCES:

2 NANCY B. WHITE, BellSouth
3 Telecommunications, Inc., c/o Nancy Sims, 150 South
4 Monroe Street, Suite 400, Tallahassee, Florida
5 32301, appearing on behalf of BellSouth
6 Telecommunications, Inc.

7 C. LEE FORDHAM and FELICIA BANKS, Florida
8 Public Service Commission, Division of Legal
9 Services, 2540 Shumard Oak Boulevard, Tallahassee,
10 Florida 32399-0850, appearing on behalf of the
11 Commissioner Staff.

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P R O C E E D I N G S

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2 COMMISSIONER JACOBS: Okay. We will call the
3 prehearing to order. Counsel, read the notice.

4 MR. FORDHAM: Pursuant to notice, this time and
5 place were set for prehearing in Docket Number 992018-TP,
6 wherein BellSouth petitioned for arbitration of a resale
7 agreement with Atlantic Telecommunications Systems, Inc.

8 COMMISSIONER JACOBS: Take appearances.

9 MS. WHITE: Nancy White for BellSouth
10 Telecommunications.

11 MR. FORDHAM: Lee Fordham with the Florida
12 Public Service Commission.

13 COMMISSIONER JACOBS: Okay. And for the record,
14 we will note that Atlantic Telecommunications Systems is
15 not represented by either the company or by counsel; and,
16 therefore, did not appear at the prehearing conference.

17 Counsel, do you have any advice as to how we
18 should proceed?

19 MR. FORDHAM: Commissioner, I think at this
20 point we have no assurance that we could have a hearing.
21 And under the procedural order, Atlantic
22 Telecommunications has waived their right to present
23 further evidence in this case, if we stick strictly with
24 the prehearing order. I mean, the order establishing
25 procedure.

1 At this point I would suggest that we continue
2 the hearing, and we certainly cannot reschedule a hearing
3 within the time frame, the statutory time frame, but that
4 would allow staff time to prepare a recommendation for the
5 Commission.

6 COMMISSIONER JACOBS: Okay. The order
7 establishing procedure does establish that failure to
8 appear at the prehearing conference waives rights at
9 hearing?

10 MR. FORDHAM: That is correct, sir.

11 COMMISSIONER JACOBS: Okay. So to be clear on
12 that, they did not appear. What I will order today is
13 that we will continue the -- we will defer, actually, the
14 date of the hearing for the date planned and staff will
15 come forward with a recommendation as to the docket.

16 MR. FORDHAM: We will prepare -- now we have a
17 gap without agendas. I think it will be probably about
18 six weeks before we can get it to an agenda, but I don't
19 see that that is a problem.

20 COMMISSIONER JACOBS: If that is okay, that is
21 fine with me. I didn't realize we had that big of a gap,
22 but that is fine with me. So, the hearing in this case
23 scheduled for -- what date?

24 MR. FORDHAM: I'm sorry, Commissioner, the
25 hearing is scheduled for April 19th.

1 COMMISSIONER JACOBS: That is postponed. And
2 staff will come with a recommendation as to the final
3 resolution of the issues in the docket. All right.

4 Anything else to come before the Commission
5 today?

6 MR. FORDHAM: That's all we have, Commissioner.

7 COMMISSIONER JACOBS: Very well. We are
8 adjourned.

9 (The prehearing conference concluded
10 at 1:50 p.m.)

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STATE OF FLORIDA)

CERTIFICATE OF REPORTER

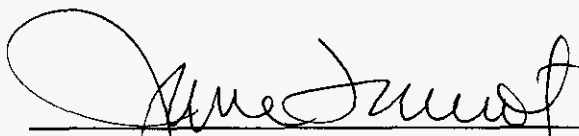
COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, FPSC Bureau of Reporting, FPSC Official Commission Reporter, do hereby certify that the Prehearing Conference in Docket No. 992018-TP was heard by the Prehearing Officer at the time and place herein stated.

It is further certified that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript, consisting of 5 pages, constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 10th DAY OF APRIL, 2000.



JANE FAUROT, RPR
FPSC Division of Records & Reporting
Chief, Bureau of Reporting
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