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BELLSOUTH

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September 25, 2002

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

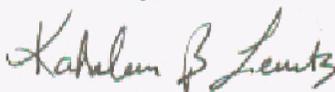
Re: WC Docket No. 02-307

Dear Ms. Dortch

This is to inform you that on September 24, 2002, Joe Lacher, Marshall Criser, Nancy Smith, Mary Rose Sirianni, Jon Banks, Glenn Reynolds, Bob Blau and I met with members of the FCC staff to discuss the efforts of the Florida Public Service Commission 2002 to facilitate competition in Florida and to present an overview of the state of competition in Florida. FCC staff attending that meeting included: Greg Cooke; Christine Newcomb; Jeff Dygert; Pamela Megna; Laurel Bergold; Carol Canteen; Cara Grayer; and Shannon Liff. Monica Desai of the Pricing Policy Division participated in the meeting by telephone. On that same day we had a similar discussion with members of the Department of Justice's Telecommunications Task Force, including Luin Fitch, Brent Marshall, Deborah Roy and James Davis-Smith. At both meetings, the attached documents formed the basis for the presentations made.

In accordance with Section 1.1206, I am filing two copies of this notice and attachments and request that you place them in the record of the proceeding identified above. Thank you.

Sincerely,



Kathleen B. Levitz

Attachments

cc:

Greg Cooke
Christine Newcomb
Jeff Dygert
Pamela Megna
Laurel Bergold
Carol Canteen

Cara Grayer
Shannon Liff
Monica Desai
James Davis-Smith

Janice Myles (w/attachment)

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Opening the Local Market in Florida

September 24, 2002

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OVERVIEW OF BELLSOUTH IN FLORIDA

From the Florida Keys to the Panhandle, BellSouth service is offered in about 40% of the geographic area of Florida, but the company serves 60% of the residents of the state.

Bellsouth serves 7 LATAs in 12 Florida NPA's. They are: Pensacola, Panama City, Jacksonville, Daytona, Gainesville, Orlando and Southeast LATAs. The Southeast LATA contains Palm Beach, Broward, Miami-Dade and Monroe Counties.

The topography of BellSouth's Florida service territory ranges from forests in the North Central area, to beaches along the East Coast and the Panhandle to the swamps of the Everglades in West Miami-Dade and Broward Counties.

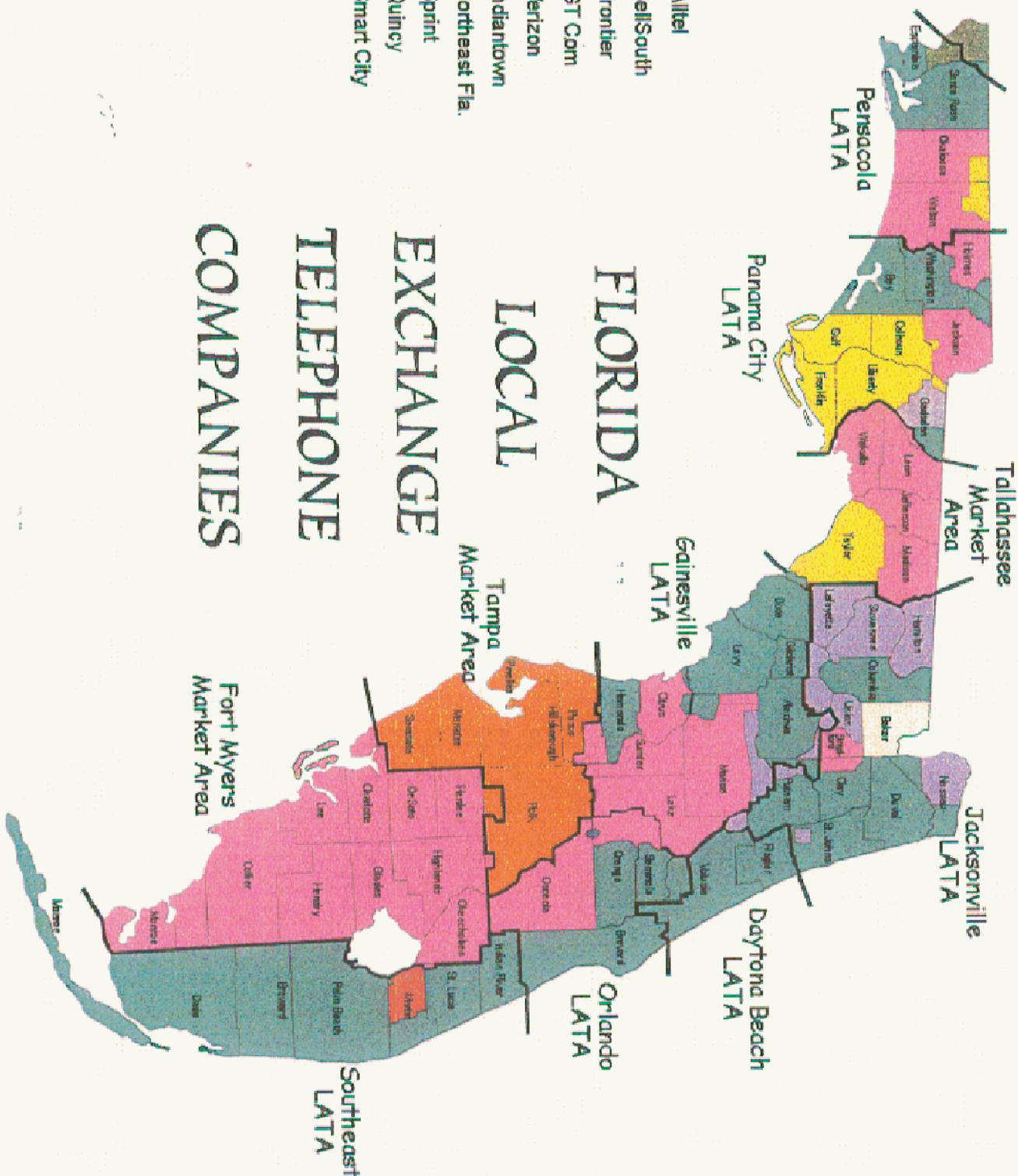
BellSouth/Florida also provides service to some of the best universities in the country. The University of Florida (Gainesville LATA), The University of Miami, Florida International University, Florida Atlantic University (Southeast LATA), The University of West Florida (Pensacola LATA) and the University of North Florida (Jacksonville LATA) are just a few of the higher education options available in the state.

Florida's economic diversity is one of the states strengths. BellSouth serves the tourist industry particularly in the Panhandle, Southern and Central areas of the state, agriculture in the Central and Southern regions and international trade in Miami-Dade County.

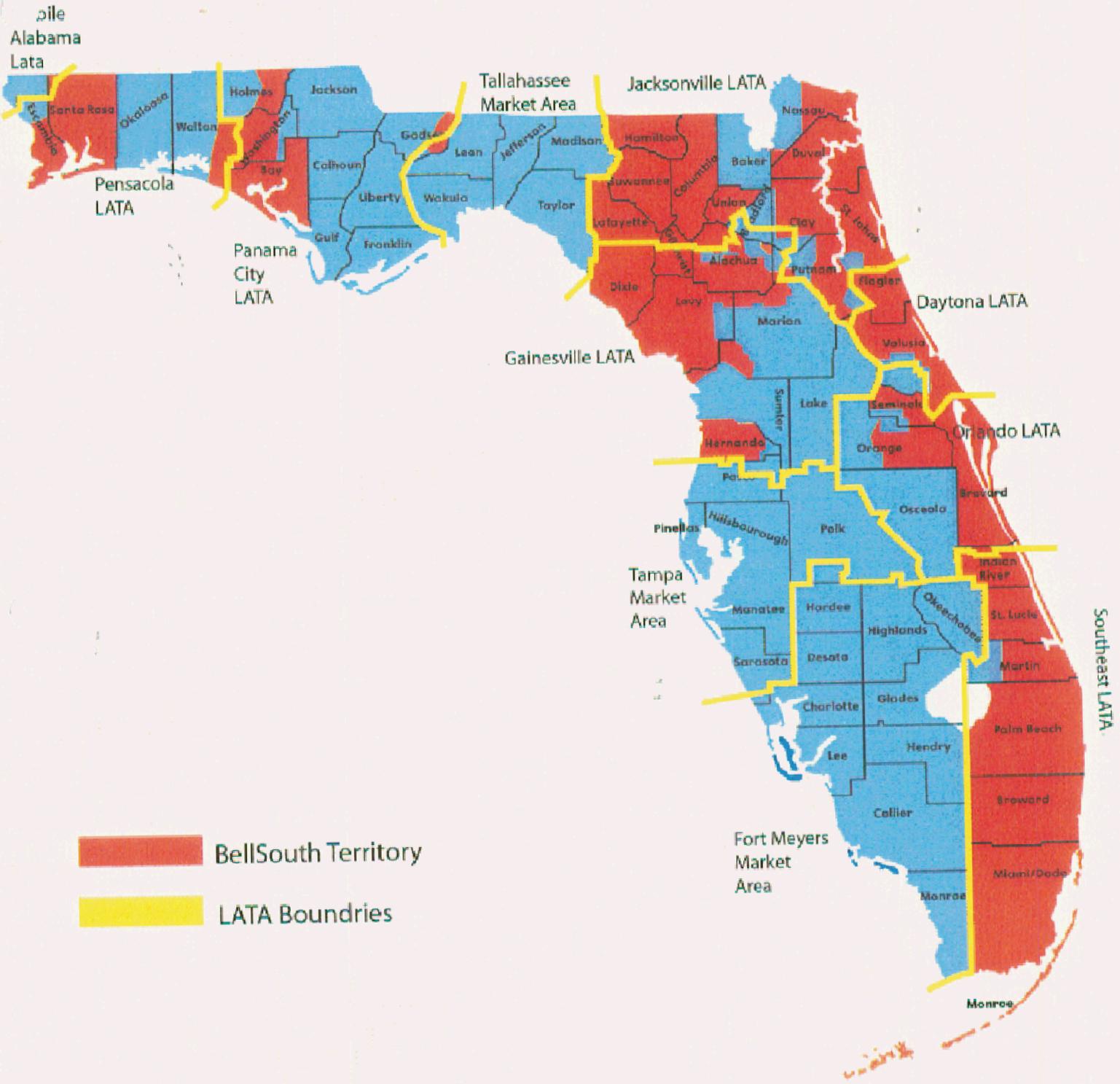
To meet the needs of Florida's consumers, BellSouth has spent an average of \$1 billion a year for capital improvements to its statewide network during the past 3 years and has installed 1.1 million miles of fiber optic cable. BellSouth's Florida network contains a backbone of 195 central offices serving more than 6.3 million total wholesale and retail access lines. Approximately 74% of BellSouth's Florida retail service is residence and 26% is business.

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- Alltel
- BellSouth
- Frontier
- GT Cdm
- Verizon
- Indiantown
- Northeast Fla.
- Sprint
- Quincy
- Smart City

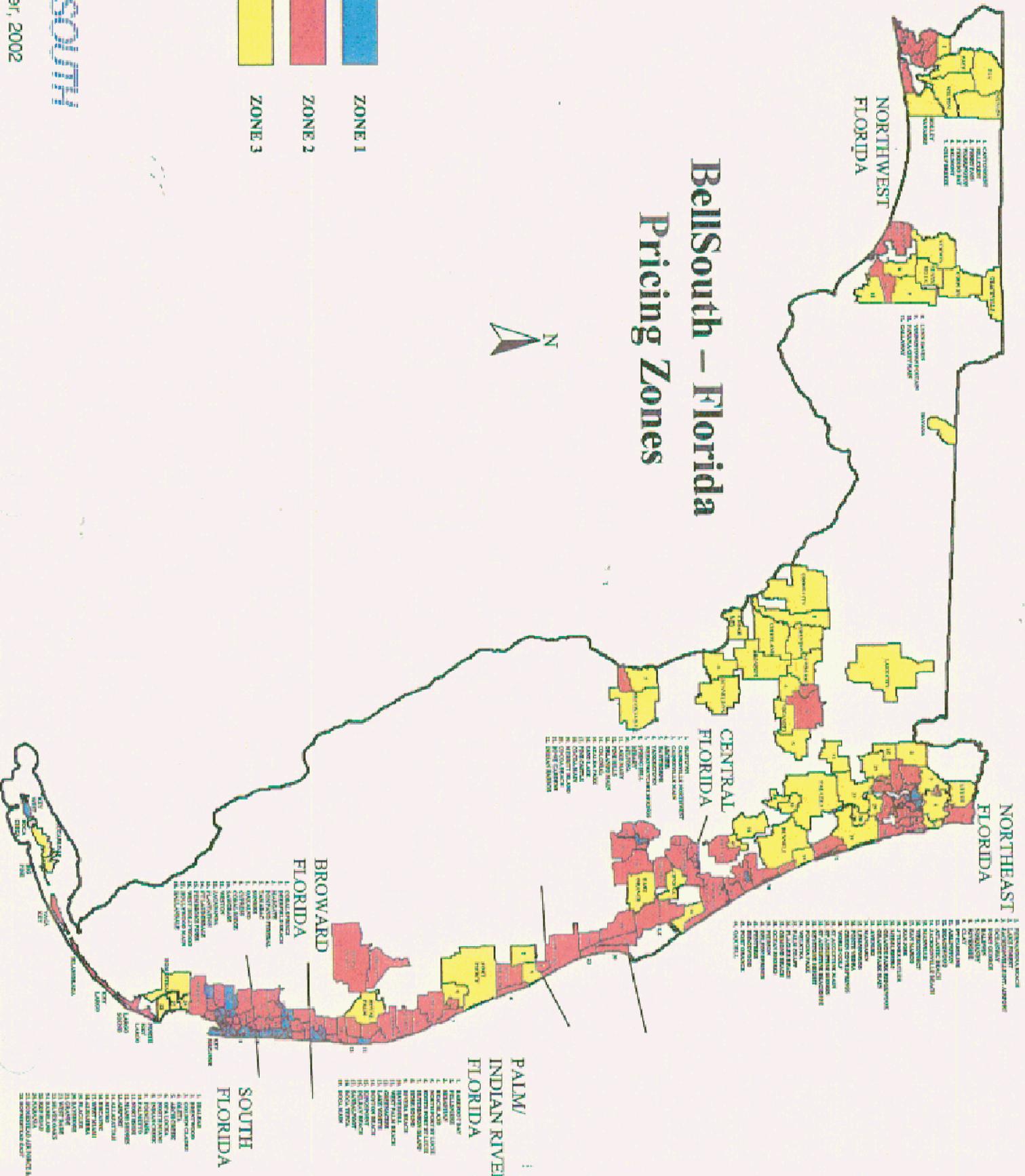
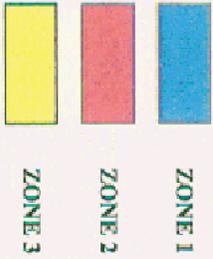


FLORIDA
LOCAL
EXCHANGE
TELEPHONE
COMPANIES



BellSouth Territory
 LATA Boundries

BellSouth - Florida Pricing Zones



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FLORIDA PUBLIC SERVICE COMMISSION
2002

Florida's Public Service Commission consists of five members selected for their knowledge and experience in one or more of the following fields: accounting, economics, energy, engineering, finance, natural resource conservation, public affairs and law. The Chairman of the FPSC, who is elected to a two-year term by majority vote of the Commissioners, serves as the FPSC's chief administrative officer, sets Commission hearings, establishes panels, assigns cases, presides at all hearings and conferences, when present, and performs all other duties as prescribed by law.

The Governor appoints Commissioners from nominees selected by the Public Service Commission Nominating Council. The Florida Senate also must confirm commissioners. Each commissioner serves a four-year term unless he or she is appointed to replace a departing Commissioner, in which case the new Commissioner will serve out that term. Should the Governor fail to appoint a new Commissioner by the 60th day following receipt of the slate of nominees, the PSC Nominating Council is empowered to appoint, by majority vote, one of the nominees it submitted to the Governor.

The FPSC has quasi-legislative and judicial responsibilities, as well as some executive powers and duties. In its legislative capacity, the FPSC makes rules governing utility operations. In a judicial manner, the FPSC hears and decides complaints, issues written orders similar to court orders, and may have its decisions appealed to the 1st District Court of Appeal and the Florida Supreme Court. As an executive agency, the FPSC enforces state laws affecting the utility industries.

During 2001, the FPSC regulated five investor-owned electric companies, seven investor-owned natural gas utilities, and 207 investor-owned water/wastewater utilities. Additionally, the FPSC had regulatory authority and competitive market oversight for 10 Incumbent local exchange telephone companies, 439 alternative local exchange telephone companies, 627 long distance (interexchange) telephone companies, 586 competitive pay telephone service providers, 38 alternative access vendors and 28 shared tenant service providers.

In 2001, the FPSC received and processed 16,195 numbered documents, which was a decrease of 342 documents over the 2000 total of 16,537. The FPSC opened 1,683 dockets, reopened 30 dockets, and closed 1,833 in 2001. The FPSC had 386 authorized positions and an annual budget of approximately \$27 million for fiscal year 2001-2002.

FLORIDA PUBLIC SERVICE COMMISSION
CHAIRMAN LILA A. JABER



Lila A. Jaber was appointed to the Florida Public Service Commission (PSC) by Governor Jeb Bush in February 2000 to complete a term ending in January 2001. She was reappointed by Governor Jeb Bush for a term ending in January 2005.

Chairman Jaber serves on the National Association of Regulatory Utility Commissioners' Committee on Telecommunications and the Committee on Consumer Affairs. Chairman Jaber chairs the Federal-State Joint Conference on Advanced Services created by the Federal Communications Commission (FCC) to promote the rapid deployment of advanced services to all Americans. In July 2001, she was appointed to the Federal-State Joint Board on Universal Service created to promote the availability and access to quality telecommunications services at just, reasonable and affordable rates throughout the Nation. Chairman Jaber has served as co-chair of the e-Infrastructure Subcommittee for the Information Service Technology Development Task Force (ITFlorida.com) and is a current member of the Florida Research Consortium, the affiliate of ITFlorida.com created as a partnership between Florida's universities and technology sectors to focus on high-tech research and development and collaboration between researchers and Florida's high-tech entrepreneurs.

Chairman Jaber is a court-certified mediator and a member of the Florida Bar. Chairman Jaber received a bachelor of arts degree in political science and business from Stetson University in DeLand, Florida, and received a juris doctorate from the Stetson University College of Law in St. Petersburg, Florida.

FLORIDA PUBLIC SERVICE COMMISSION
COMMISSIONER BRAULIO L. BAEZ



Braulio L. Baez was appointed to the Florida Public Service Commission by Governor Jeb Bush on August 23, 2000, to complete a term ending January, 2002. He was then reappointed by the Governor to a four year term ending January, 2006.

Prior to his appointment, Commissioner Baez was an attorney in Miami, Florida, with a statewide practice representing municipal and county governments in telecommunications, cable franchising and other regulatory matters. He was Executive Assistant to Commissioner Joe Garcia from 1994 to 1998.

A native of South Florida, Commissioner Baez received his undergraduate degree from Florida International University in 1988, and his Juris Doctorate degree from Nova University, Shepard Broad Law Center, in 1993.

Commissioner Baez serves on the National Association of Regulatory Utility Commissioners' Committees on Electricity and International Relations and is Past-President of the Southeastern Association of Regulatory Utility Commissioners. He was appointed to the North American Electric Reliability Council, and is a member of the Florida Bar and American Bar Association. He is a past Director of the Hispanic Bar Association, 2nd Judicial District.

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FLORIDA PUBLIC SERVICE COMMISSION
COMMISSIONER RUDOLPH "RUDY" BRADLEY

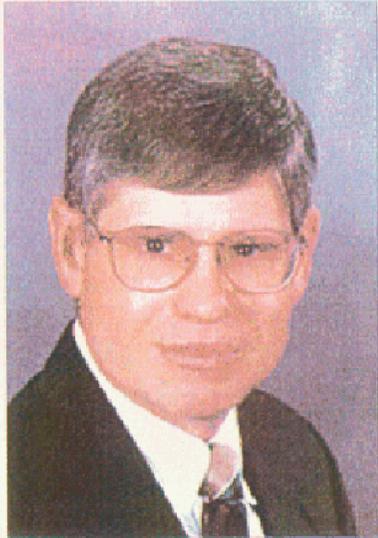


Commissioner Bradley was appointed to the Florida Public Service Commission by Governor Jeb Bush for a four year term beginning January 8, 2002.

Commissioner Bradley serves on the National Association of Regulatory Utility Commissioner's Committees on Consumer Affairs, Gas and International Relations. He is also a member of the Energy Market Access Partnership Board which is a joint project between the Department of Energy and the National Association of Regulatory Utility Commissioners. Prior to his appointment to the Commission, Commissioner Bradley served as a member of the Florida Legislature for seven years representing District 55 which includes Pinellas, Manatee and Hillsborough Counties. As a member of the Legislature, he served as the Vice Chairman of the Utilities and Telecommunications Committee and as the Chairman of the Select Committee on Energy Restructuring. Commissioner Bradley also served as the Chairman of the Business Development and International Trade Committee and Chairman of the Economic Development Council. As a legislator, Commissioner Bradley maintained a special interest in improving Florida's educational system and expanding business opportunities for all citizens.

Commissioner Bradley earned his Bachelor of Science Degree from the University of Tampa and his Masters Degree from the University of Michigan. He served as an educator in Pinellas County for several years and he developed several private enterprises involving real estate and livestock.

FLORIDA PUBLIC SERVICE COMMISSION
COMMISSIONER J. TERRY DEASON



Commissioner J. Terry Deason was first appointed to the Commission by the Florida Public Service Commission Nominating Council in January 1991 for a term ending in January 1995. He was subsequently reappointed by the late Governor Lawton Chiles for a term ending in January 1999. Commissioner Deason was then reappointed by Governor Jeb Bush to his current term, which ends in January 2003. Commissioner Deason has served as Chairman of the Commission on two occasions, from January 1993 to January 1995, and from July 2000 to January 2001.

Commissioner Deason is an active member of the National Association of Regulatory Utility Commissioners (NARUC). He currently serves on NARUC's Board of Directors, its Finance and Technology Committee, and its Utility Association Oversight Committee.

Prior to his appointment, he served as Chief Regulatory Analyst in the Office of Public Counsel. In that capacity, he was responsible for the coordination of accounting and financial analysis used by the Public Counsel in cases before the Public Service Commission, presented testimony as an expert witness, and consulted with the Public Counsel on technical issues and ratemaking policies concerning regulated utilities in the State of Florida.

From 1981 to 1987, Commissioner Deason served as Executive Assistant to PSC Commissioner Gerald L. Gunter, during which time he reviewed and analyzed staff recommendations and advised the Commissioner on those recommendations and other pertinent policy determinations. From 1977 to 1981, he served as a Legislative Analyst with the Office of Public Counsel.

He attended the U.S. Military Academy at West Point, and in 1975 received his bachelor of science degree in accounting, summa cum laude, from Florida State University. He also received his master of accounting degree from FSU in 1989.

FLORIDA PUBLIC SERVICE COMMISSION
COMMISSIONER MICHAEL A. PALECKI



Commissioner Palecki was appointed to the Florida Public Service Commission by Governor Jeb Bush on November 20, 2000, to complete a term ending in January 2003.

From 1995 until his appointment, Commissioner Palecki was Manager of Regulatory Affairs for NUI Corporation, where he practiced before the New York, Pennsylvania, Maryland, North Carolina and Florida Public Service Commissions. He also served as Secretary of the Associated Gas Distributors of Florida, and was on the Board of Directors of the Florida Natural Gas Association.

From 1989 to 1995, Commissioner Palecki was an attorney for the Florida Public Service Commission, and was promoted to Chief of the Electric and Gas Bureau in the Legal Division in 1990.

Prior to that, he was an attorney for the State Fire Marshal's Office, where he prosecuted arsons and fire-related murders statewide. He also worked with a major law firm, where he represented 23 insurance companies in over 100 arson and fraud cases. He became president of the Florida Advisory Committee on Arson Prevention, and was a founding partner of FireDogs, a company that pioneered the training and use of canines to "sniff" for evidence of arson at fire scenes.

Commissioner Palecki also worked for the State Attorney's Office in Polk County, and for the Florida Attorney General's Office, where he argued and won over 300 criminal cases, including the U.S. Supreme Court case of *Tibbs v. State*, preserving Florida's right to retry defendants after appellate reversal of conviction.

He serves on the National Association of Regulatory Utility Commissioners' Committee on Water.

Commissioner Palecki is a 1976 graduate of the Stetson University College of Law. He is a member of the Florida Bar and is admitted to practice in several federal courts, including the U.S. Supreme Court.

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BellSouth Proceedings
Before the Florida Public Service Commission

The Florida Public Service Commission ("FPSC" or "Commission") began conducting proceedings impacting the development of local competition as early as January 1, 1996. Through passage of Senate Bill 1554 during the 1995 legislative session, Chapter 364, Florida Statutes, was revised substantially to allow for local exchange competition effective January 1, 1996. The main thrust of these statutory changes was to permit alternative local exchange companies (ALECs) to operate and to allow incumbent local exchange companies (ILECs) to elect price regulation.

The FPSC has taken its responsibilities under the 1996 Telecom Act seriously and has devoted enormous time and resources to implementing the Act's requirements in Florida. The FPSC has conducted proceedings on resale and unbundling, performance measurements, operations support systems, and LNP. In addition, the FPSC has conducted several extensive arbitrations, therein resolving other important issues regarding implementation of the Act. Following is a description of some of the key proceedings undertaken by this Commission.

1. DOCKET 960786-TL: Consideration of BST's Entry into InterLATA Services Pursuant to Section 271 of the Federal Telecommunications Act of 96.

On June 28, 1996, the FPSC opened this docket to investigate issues surrounding BellSouth's application for authority to provide in-region interLATA

service. In July 1997, BellSouth filed its Petition and supporting documentation that included a draft Statement of Generally Available Terms and Conditions (SGAT). Parties filed rebuttal on July 31, 1997. The FPSC conducted a hearing from September 2 thru 8, 1997. On September 18, 1997, BellSouth filed a final version of the SGAT with the FPSC.

The FPSC ruled on its Staff Recommendation on BellSouth's 271 filing on November 19, 1997. (*Order PSC-97-1459-FOF-TL*). The FPSC found BellSouth in compliance with nine items of the competitive checklist, specifically: (3) access to poles, ducts, conduits and right-of-way; (4) unbundled local loops; majority of (7) access to 911 and operator call completion; (8) white pages directory listings; (9) telephone number assignment; (10) databases and signaling; (11) number portability; (12) local dialing parity; and (13) reciprocal compensation. The FPSC also concluded that BellSouth had not met the requirements of checklist items: (1) local interconnection; (2) access to UNEs; (5) unbundled local transport; (6) local switching; part of (7) except directory listings; and (14) services for resale. Additionally, the FPSC stated that BellSouth should conduct an independent third-party verification of its operational support systems (OSS).

On January 11, 2000, the FPSC approved the Master Test Plan developed by KPMG for third party testing of BellSouth's OSS in Florida. The FPSC also

approved KPMG as the Phase II test manager for conducting BellSouth's OSS testing. (*Order PSC-00-0104-PAA-TP*)

On March 6, 2001, BellSouth filed a motion to request scheduling conference. On March 29, 2001, a status conference was conducted with all of the parties. Due to the conflicting positions of the parties as to the relevant scope of the hearing, an order was issued by the FPSC stating that all OSS aspects are being addressed through the third party test in Docket No. 960786B-TP.

An administrative hearing was held on October 10-11, 2001, and October 17-18, 2001. The FPSC staff recommended on August 23, 2002 that BST has met the requirements of Section 271(c)(1)(A) of the act, and met the 14 point checklist in Section 271 (c)(2)(B)(i).

On September 9, 2002, the FPSC voted to approve the August 23, 2002 Staff Recommendation finding that BST has met the requirements of Section 271(c)(1)(A) of the act, and met the 14 point checklist in Section 271 (c)(2)(B)(i).

2. Docket Nos. 981834-TP/960786-TL; Generic OSS Third Party Testing

On December 10, 1998, the Competitive Carriers filed a petition for Commission action to support local competition in BellSouth's service territory. The FPSC opened Docket No. 981834-TP in response to this petition.

*Sprint Verizon
postponed*

On May 26, 1999, the FPSC issued *Order No. PSC-99-1078-PCO-TP* establishing a formal administrative hearing to address UNE pricing, including UNE combinations and deaveraged pricing of unbundled loops. The FPSC also directed that workshops on OSS issues be conducted concomitantly, in an effort to resolve OSS operational issues. Finally, the FPSC opened a formal administrative hearing to address collocation and access to loop issues, as well as costing and pricing issues.

On August 9, 1999, the FPSC issued an Order in Docket Nos. 981834-TP/960786-TL, on the Process for Third Party Testing (*Order PSC-99-1568-PAA-TL*). In this Order, the FPSC established two phases to the testing plan. In Phase I, a vendor would be hired to develop a comprehensive test plan to conduct an evaluation of BST's OSS and OSS interface systems used to provide preordering, ordering, provisioning, maintenance and repair, and billing functions to ALECs. In Phase II, the vendor would conduct a detailed test of BST's OSS and OSS interface systems based on the designed test plan under the direction of a Commission Project Manager. The FPSC ordered that Phase I would begin immediately. After much discussion between the FPSC Staff, BellSouth, and the ALEC community, KPMG was selected as the vendor to develop the third-party test plan.

On January 11, 2000, the FPSC approved the Master Test Plan recommended by KPMG, the selection of KPMG as the Phase II Test Manager, and ordered

that the third-party testing begin. (*Order PSC-00-0104-PAA-TP*). The Consummating Order was issued on February 4, 2000. (*Order PSC-00-0232-CO-TL*).

On February 8, 2000, the FPSC issued Order (*Order PSC-00-0260-PAA-TP*) approving the Interim Performance Metrics developed by KPMG. The Consummating Order was released on March 1, 2000. (*Order PSC-00-0428-CO-TP*).

On March 20, 2000, the FPSC issued an Order (*Order PSC-00-0563-PAA-TP*) approving the retail analogs, benchmarks, and statistical methodology that would be used in the OSS third party testing. The Consummating Order was released on April 14, 2000. (*Order PSC-00-0733-CO-TL*).

On December 20, 2000, the FPSC issued an Order (*Order PSC-00-2451-PAA-TP*) approving the revised interim performance measures, benchmarks, and retail analogs recommended by KPMG and modifying the forecast date of the "anticipated volumes" test date to the estimated test completion date plus nine months. The Consummating Order was issued on January 18, 2001. (*Order PSC-01-0144-CO-TP*).

Subsequently, additional changes to the revised interim measures were made in other jurisdictions. By Order No. PSC-01-1428-PAA-TL, issued July 3, 2001, the

Commission approved additional changes to update measures and retail analogs and provide additional levels of disaggregation.

On June 21, 2002, KPMG issued its Draft Final report containing preliminary results and conclusions from the third-party test. On July 12, 2002, a Commission workshop was held to address questions concerning the draft final report. Comments on the draft workshop were filed by parties on July 24, 2002.

On July 30, 2002, KPMG submitted its Final report regarding the third-Party Test. On August 23, 2002, the FPSC staff recommended the Florida Commission find that BST provides ALECs nondiscriminatory access to its OSS and that BST has satisfied the OSS-related requirements of Section 271 of the 1996 ACT.

On September 9, 2002, the FPSC voted to approve the August 23, 2002 Staff Recommendation finding that BST provides ALECs nondiscriminatory access to its OSS and that BST has satisfied the OSS-related requirements of Section 271 of the Act.

3. 990149-TP: MediaOne

The FPSC approved a stipulated interconnection agreement between MediaOne and BellSouth in 1995. In February 1999, MediaOne filed a Petition for Arbitration to resolve issues relating to ISP-bound traffic, Calling Name (CNAM) database, network terminating wire (NTW) in multi-dwelling units (MDUs), and

NTW access charges. The FPSC issued a 22-page order on these issues on October 14, 1999. (*Order PSC-99-2009-FOF-TP*).

4. Docket No. 991854-TP: Petition of BellSouth Telecommunications, Inc. for Section 252(b) Arbitration of Interconnection Agreement with Intermedia Communications, Inc. (ICI).

The FPSC issued a 63-page Order in this docket on August 22, 2000 to resolve some 48 issues. Some of the important issues addressed in this Order included the definition of UNE combinations, EELs, packet switching, access to User-to-Network Interface (UNI), Network-to-Network Interface (NNI), data link control identifiers (DLCI); frame relay, multiple tandem access (MTA), switched access tariff; framed packet data, and frame relay rate elements. (*Order PSC-00-1519-FOF-TP*).

5. Docket 991220-TP: Petition by Global NAPS, Inc. for arbitration of interconnection rates, terms and conditions and related relief of proposed agreement with BellSouth Telecommunications.

In January 1999, Global NAPS filed a Petition for Arbitration. In September 2000, the FPSC determined, among other things, that dial-up connections to Internet service providers (ISPs) shall be treated as local traffic for purposes of reciprocal compensation. The FPSC found the appropriate reciprocal compensation rates to be \$0.00125 for tandem switching and \$0.002 for end office termination, and if common transport is provided, common transport rates

as ordered by the FPSC in Docket 960833-TP. The FPSC found the reciprocal compensation rate for end-office switching for ISP-bound traffic to be \$0.00128, instead of \$0.002. In this Order, the FPSC also defined Local Traffic. (***Order PSC-00-1680-TP***).

6. DOCKET 990691-TP: Petition of ICG Telecom Group, Inc. for Arbitration of unresolved issues in interconnection agreement with BellSouth

In this docket the FPSC addressed whether calls originating from or terminated to ISPs should be defined as local traffic. The FPSC reiterated its earlier decision in Docket 990149-TP, where in the FPSC ordered the parties to continue to operate under the terms of their current agreement until the FCC issued a final ruling on the treatment of ISP traffic.

In this docket, the FPSC also addressed packet switching, enhanced extended link loops (EELs), volume and term for UNEs, reciprocal compensation for switched services in a geographic area comparable to that served by BellSouth's tandem switch, and binding forecasts.

7. Docket 981834-TP and Docket 990321-TP: Generic Collocation.

Docket 981834-TP was originally opened to address the Florida Competitive Carriers (FCCA) petition for Commission action to support local competition in BellSouth's service territory, including collocation.

On March 12, 1999, ACI Corp. filed a Petition for generic investigation to ensure that BST, Sprint, and GTE-FL comply with the obligation to provide ALECs with flexible, timely, and cost-efficient physical collocation. Docket No. 990321-TP was assigned to this docket.

On September 7, 1999 in Docket No. 990321-TP, the FPSC issued an Order which granted ACI's Petition for a generic investigation into collocation issues and consolidated it with Docket No. 981834-TP. (*Order PSC-99-1744-PAA-TP*). In this Order, the FPSC also adopted procedures and guidelines related to initial response time, application fees, central office tours, petitions for waiver, post-tour reports, disposition of petitions, extensions of time, and collocation provisioning intervals that superceded any previous timeframes contained in current collocation agreements in Florida. Parties could negotiate different timeframes than the ones established in this Order. On December 7, 1999, the FPSC released its Final/Amendatory/Consummating Order approving stipulated modifications to the collocation guidelines that were issued in its earlier Order dated September 7, 1999. (*Order PSC-99-2393-FOF*).

The Commission issued a Procedural Order to begin the generic docket on October 12, 1999. The hearing was conducted on January 12-13, 2000.